

Office of the City Manager

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

**Meeting Date: March 10, 2022**

**Item Number: 2**

**Item Description: Presentation and Discussion of Reports Submitted by Reimaging Public Safety Task Force and National Institute for Criminal Justice Reform**

**Submitted by: National Institute for Criminal Justice Reform**

A summary of the changes:

- Removed photo on the bottom of page 12
- Changed the diagrams on page 18 to run horizontal as opposed to vertical
- Replaced HALO graphic on page 24
  
- Corrected the page numbers in the Table of Contents on page 155
- The language regarding the incident with Vincent Bryant on page 8 has been corrected.

# Reimagining Public Safety in Berkeley:



## FINAL REPORT AND IMPLEMENTATION PLAN



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# INTRODUCTION



On July 14, 2020, the Berkeley City Council (Council) made a historic commitment to reimagine the City's approach to public safety with the passage of an omnibus package of referrals, resolutions, and directives known as The George Floyd Community Safety Act. Central to the proposal was a commitment to achieve a "new and transformative model of positive, equitable, and community centered safety for Berkeley."<sup>1</sup>

Direction was given to the City Manager to collaborate with the Mayor and select Councilmembers to inform City of Berkeley (City) investments and reallocations to be incorporated into future Budget processes and to contract with independent subject matter experts to analyze the scope of work and community needs addressed by the Berkeley Police Department (BPD), to identify a more limited role for law enforcement, and to identify elements of police work that could be achieved through alternative programs, policies, systems, and community investments.

The National Institute for Criminal Justice Reform (NICJR) was selected through a Request for Proposal process to conduct this work in partnership with Bright Research Group, which led the community engagement; Renne Public Law Group, who has provided guidance on policy recommendations; Pastor Michael Smith, who supported the community engagement and outreach; and Jorge Camacho, the Policy Director of the Justice Collaboratory at Yale Law School.

This Final Report and Implementation Plan is the culmination of NICJR efforts over the past 10 months, a body of work reflected in the following deliverables:

1. **New and Emerging Models of Community Safety and Policing** report;
2. **Berkeley Calls for Service Analysis**;
3. **Alternative Responses** report;
4. **Community Engagement** report; and
5. A project **website**.

<sup>1</sup> <https://www.cityofberkeley.info/RIPST.aspx>

# REPORT INFOGRAPHIC SUMMARY



The City of Berkeley's George Floyd Act referenced NICJR's reform model of Reduce – Improve – Reinvest. This report is also primarily organized in those sections: Reduce the footprint of law enforcement; Improve the quality of law enforcement and public safety; and Reinvest into community and services. Some of the recommendations in this report are programs or policies that have been tried in other jurisdictions and have a track record of effectiveness or promise, other recommendations are new ideas, aligned with the goal of Reimagining!

The body of this report is already 40 pages for a total of 272 pages, including the appendices, therefore the below graphic provides a quick overview of the detailed recommendations included in this report instead of repeating the narrative.

## Reduce

- › Implement Tiered Dispatch & CERN model, thereby reducing BPD patrol duties
- › End pre-text stops
- › Eliminate BPD vacant positions through attrition
- › Creation of BerkDOT

## Improve

- › Implement Highly Accountable Learning Organization (HALO)
- › Launch new Progressive Police Academy
- › New Police Accountability Board
- › Implement BPD improvement measures

## Reinvest

- › Launch Guaranteed Income program
- › Launch Community Beautification Employment Program
- › Increase funding to CBOs for “fundamental cause” services:
  - › Poverty
  - › Homelessness
  - › Education
  - › Substance abuse
  - › Unemployment and underemployment



## Berkeley City Council George Floyd Act

In response to the national outcry for police reform, and in line with the City's long history of progressive policy making, the Berkeley City Council formally adopted the George Floyd Community Safety Act which included the following package of referrals, resolutions, and directions:

1. Have the City's elected Auditor perform an analysis of the City's emergency 9-1-1 calls-for-service and responses, as well as analysis of the Berkeley Police Department's (BPD) budget.
2. Create plans and protocols for calls for service to be routed and assigned to alternative preferred responding entities and consider placing dispatch in the Fire Department or elsewhere outside the Police Department.
3. Analyze and develop a pilot program to re-assign non-criminal police service calls to a Specialized Care Unit. This Specialized Care Unit (SCU) consists of trained crisis-response field workers who would respond to calls that the Public Safety Communications Center operator evaluated as non-criminal and that posed no imminent threat to the safety of community members and/or Police Department or Fire Department personnel.
4. Evaluate initiatives and reforms that reduce the footprint of the Berkeley Police Department and limit the Police Department's scope of work primarily to violent and criminal matters. This work should include an evaluation of programs and services currently provided by the Police Department that could be better served by trained non-sworn city staff or community partners.
5. Aspire to reduce the Police Department's budget by 50% to generate resources to fund the following priorities:
  - Youth programs;
  - Violence prevention and restorative justice programs;
  - Domestic violence prevention;
  - Housing and homeless services;
  - Food Security;
  - Public health and Mental Health services including a specialized care unit;
  - Healthcare;
  - New city jobs;
  - Expanded partnerships with community organizations, and
  - Establishing a new Department of Transportation to administer parking regulations and traffic laws
6. Engaging a qualified firm(s) or individual(s) to lead a robust, inclusive, and transparent community engagement process with the goal of achieving a new and transformative model of positive, equitable and community-centered safety for Berkeley.
7. Pursue the creation of a Berkeley Department of Transportation to ensure a racial justice lens in traffic enforcement and the development of transportation policy, programs and infrastructure, and identify and

implement approaches to reduce and/or eliminate the practice of pretextual stops based on minor traffic violations.

8. Analysis of litigation outcomes and exposure for city departments in order to guide the creation of city policy to reduce the impact of settlements on the General Fund.

## Recent History of Problems with Policing in Berkeley

Although immediately inspired by the events of 2020, the Council's George Floyd Act came on the heels of a period of challenges with the BPD:

### February 12, 2013: Death of Kayla Moore, Black transgender woman in mental health distress

Kayla Moore, a Black transgender woman with schizophrenia, died in her apartment on Allston Way while BPD officers were responding to a call for a "wellness check." During the incident, half a dozen police officers forcibly held her down. The family of Kayla Moore filed a lawsuit in 2014 against the City of Berkeley, however, the City contended that minimal and appropriate force was used and sought a dismissal of the lawsuit in federal court, which was ultimately granted.



### December 6, 2015: Use of Force at Black Lives Matter protests

During a Black Lives Matter protest in Berkeley on December 6, BPD was accused of beating peaceful protesters and journalists, and using excessive amounts of teargas without justification.<sup>2</sup>

In 2017, the City of Berkeley reached a settlement with several plaintiffs who sued the City and BPD for the attack. Seven plaintiffs received \$125,000 and BPD agreed to amend its use of force policy.<sup>3</sup>

### March 26, 2018: Black child falsely accused, chased, and run over by car

On March 26, 2018, on Telegraph and Stuart, a Black child in the 7th grade was chased and grabbed by a white man, who mistook the Black child roughhousing with a white female classmate on the sidewalk as an assault. The boy was then struck with a car by another man as he ran in fear of his safety. The family was told by a white police sergeant that nothing unlawful actually happened, and determined that the man chasing the child did not commit any crime, rather he was lawfully attempting to make a citizen's arrest. In addition, the child's grandmother, who is his legal guardian, reported that she was told by BPD that she had no right to any written reports or documentation of the incident without a court order.<sup>4</sup>

2 <https://www.kqed.org/news/10402266/berkeleys-police-chief-on-protests-tear-gas-use>

3 <https://www.dailycal.org/2017/02/05/city-berkeley-reaches-conditional-settlement-lawsuit-regarding-police-use-force/>

4 <https://www.berkeleyside.org/2018/05/18/opinion-the-willard-school-community-wants-answers-from-berkeley-police-about-a-troubling-incident>

## May 2018: Report Reveals Racial Disparities in BPD Stops and Searches

An **analysis** by the nationally renowned Center for Police Equity published in May 2018 found the stops and searches conducted by BPD were racially disproportionate. The report states:

“Our analysis of BPD vehicle and pedestrian stops found that Black and Hispanic persons were more likely than White persons to be stopped by BPD. Black persons in Berkeley were about 6.5 times more likely per capita than White persons to be stopped while driving, and 4.5 times more likely to be stopped on foot. Hispanic persons were about twice as likely, per capita, as White persons to be stopped while driving, and slightly less likely to be stopped on foot. In addition to their much higher stop rates, Black and Hispanic drivers (and pedestrians) were also searched at much higher rates. Once stopped, Black drivers were searched at a rate four times higher than their White counterparts (20% compared to 5%), while Hispanic drivers were searched at three times the White rate (15%).”

## March 14, 2020: Less-lethal shooting of unarmed Black man, Ashby & Sacramento St.,

A BPD officer used a less-lethal weapon to shoot William Dean Brown, a Black man kneeling on the ground with his empty hands in the air. He was shot within a distance of 12 feet and was hit in the torso, and quickly handcuffed and tackled by three officers as soon as he hit the ground.

## June 9, 2020: BPD Chief mentions shooting protesters at City Council Meeting

Just after a march organized by The Way church protesting the killing of George Floyd, then BPD Chief Andrew Greenwood made a comment during a Council meeting to discuss whether to permanently ban the use of tear gas as a method of crowd control. City Councilmember Susan Wengraf asked Greenwood what kind of alternative tools would be best to use if a crowd turned violent and police could not use tear gas, to which Greenwood replied “Firearms. We can shoot people.” His statement immediately prompted a call from the community for his resignation.<sup>5</sup>

## June 30, 2020: Officer shooting at Black man and minors in vehicle, North Berkeley

BPD Officer Cheri Miller fired her gun at three teenagers accused of shoplifting at CVS. Miller got out of her vehicle with her gun drawn, and, within less than a minute of her arrival, she had ordered the driver, 19-year-old Brandon Owens of Concord, a young Black man, to get into his car and put his keys on the roof. When Brandon got back into his vehicle, he began to drive away from the officer who then shot at the moving vehicle three times. There were two minors in the car with Brandon. Miller was found not to have committed any crime, but was found in violation of BPD’s deadly force policy and was fired.

## December 17, 2020: Use of force Parker and Mathews St., Southwest Berkeley

55-year-old David Frazier and an unnamed passenger were pulled over for multiple vehicle code violations. The initial call was categorized as a routine traffic stop. When Frazier finally stopped after multiple attempts from BPD, two officers approached Frazier’s vehicle and began to forcefully attempt to pull Frazier out of the front seat, punching and pulling on him. The three officers were unsuccessful in gaining control over Frazier and then stepped back and pulled out their batons and began to beat Frazier while he sat in the front seat. Two more officers then approached the passenger side of the vehicle with their guns drawn, broke the passenger window, pulled the passenger out, handcuffed him and dragged him away. Frazier was dragged out of the car and tackled by five or six officers, handcuffed, and forced to sit upright on the hood of a police vehicle.

<sup>5</sup> <https://www.berkeleyside.org/2020/06/13/marchers-in-berkeley-demand-resignation-of-police-chief>



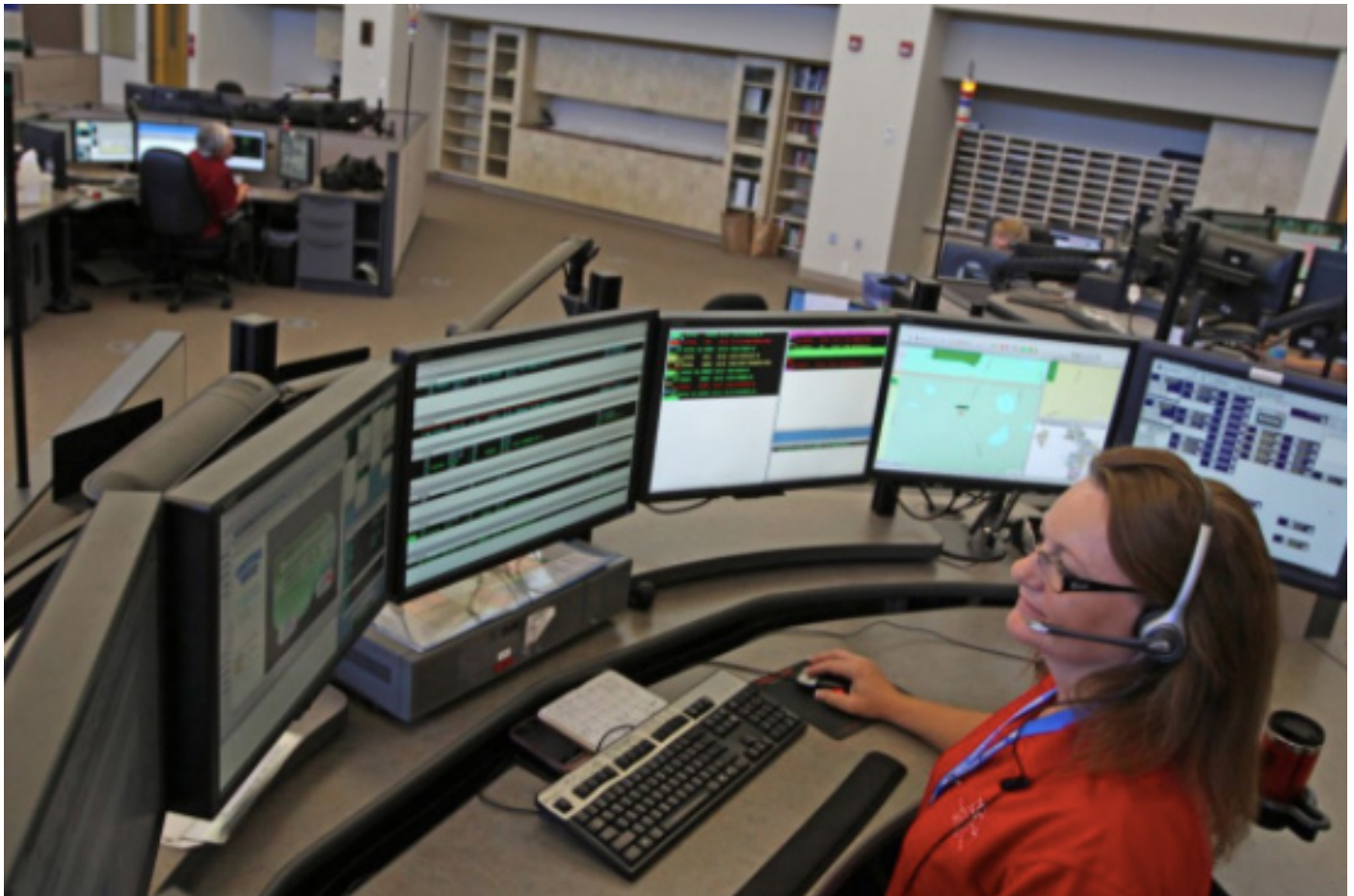
## January 2, 2021: Shooting of unhoused Black man with mental illness, Shattuck Ave., Downtown Berkeley

Vincent Bryant, a 50-year-old unhoused Black man who suffers from mental illness, was accused of stealing food items from the downtown Walgreens. Responding to 911 calls of a robbery, police found Bryant in a nearby courtyard. Bryant pulled out a bike chain and reportedly wound up preparing to swing the chain at officers when he was shot by both less than lethal foam rounds as well as one officer firing her firearm, striking Bryant in the jaw, causing severe injuries.

### Reimagining Public Safety Task Force

As part of the George Floyd Act, the City created the Reimagining Public Safety Task Force (RPSTF), which was charged with making recommendations to the consultant (NICJR) and city staff on structures and initiatives to outline 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 NICJR, considering, among other things:

- The social determinants of health and changes required to deliver a holistic approach to community-centered safety;
- Defining an appropriate response to calls-for-service including size, scope of operation and powers and duties of a well-trained police force;



- Limiting militarized weaponry and equipment; and
- Identifying alternatives to policing and enforcement to reduce conflict, harm, and institutionalization, introduce restorative and transformative 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 Task Force is comprised of:**

- One (1) representative appointed by each member of the City Council and Mayor,
- One (1) representative appointed from the Mental Health Commission, Youth Commission and Police Review Commission,
- One (1) representative appointed by the Associated Students of the University of California (ASUC) External Affairs Vice President,
- One (1) representative appointed by the Berkeley Community Safety Coalition (BCSC) Steering Committee, and
- Three (3) additional members appointed “At-Large” by the Task Force.

District 1 - Margaret Fine	Youth Commission - Nina Thompson
District 2 - Sarah Abigail Ejigu	Police Review Commission - Nathan Mizell
District 3 - boona cheema	Mental Health Commission - Edward Opton
District 4 - Jamie Crook	Berkeley Community Safety Coalition - Jamaica Moon
District 5 - Dan Lindheim	Associated Students of U. California - Alecia Harger
District 6 - La Dell Dangerfield	At-Large - Vacant
District 7 - Barnali Ghosh	At-Large - Liza Lutzker
District 8 - Pamela Hyde	At-Large - Frances Ho
Mayor - Hector Malvido	



NICJR produced drafts of the following series of reports then received feedback from the RPSTF and City staff and made necessary edits and additions then finalized:

1. New and Emerging Models of Community Safety and Policing Report
2. Berkeley Calls For Service Analysis Report
3. Alternative Responses Report
4. Community Engagement Report

Included below is a brief description and summary of each of those reports. Links to the full reports are included below and the reports are appendices G through J.

## New and Emerging Models of Community Safety and Policing Report

The **New and Emerging Models of Community Safety and Policing** report includes detailed overviews of a variety of examples of Emerging Non-Enforcement Models of Community Response; Non-Law Enforcement Crime Reduction Strategies; Community Driven Violence Reduction Strategies; and Policing Strategies. Highlighted below are some of the programs included in that report that informed NICJR's final recommendations for the City's reimagining work:

*Emerging Non-Enforcement Models of Community Response* include the Crisis Response Unit (CRU) and Street Crisis Response Team (SCRT).

The City of Olympia, Washington implemented the CRU in April of 2019 to serve as an option to respond to behavioral health calls for service. CRU teams consist of mental health professionals that provide support such as mediation, housing assistance, and referrals to additional services to their clients.<sup>6</sup> Calls for service for the CRU originate from community-based service providers, the City's 911 hub, and law enforcement personnel.<sup>7</sup>

The SCRT is a pilot program launched in November 2020 and administered by the Fire Department in San Francisco, California. The program targets individuals experiencing behavioral health crises. SCRTs consist of a behavioral health specialist, a peer interventionist, and a first responder. 911 calls that are determined to be appropriate for a SCRT are routed accordingly by dispatch. A team responds to calls in an average of 15 minutes.<sup>8</sup>

*Non-Law Enforcement Crime Reduction Strategies* include the Mayor's Action Plan (MAP) in New York City, NY. Launched in 2014 in fifteen New York City Housing Authority properties, MAP was designed to foster productive dialogue between local residents and law enforcement agencies, address physical disorganization, and bolster pro-social community bonds. MAP's focal point is NeighborhoodStat, a process that allows residents to have a say in the way NYC allocates its public safety resources.<sup>9</sup> Early evaluations show a reduction in various crimes as well as increased perception of healthier neighborhoods.<sup>10</sup>

<sup>6</sup> <https://olympiawa.gov/city-services/police-department/Crisis-Response-Peer-Navigator.aspx>

<sup>7</sup> <https://www.vera.org/behavioral-health-crisis-alternatives/cru-and-familiar-faces>

<sup>8</sup> <https://sfmayor.org/article/san-franciscos-new-street-crisis-response-team-launches-today>

<sup>9</sup> <https://www.americanprogress.org/issues/criminal-justice/reports/2019/10/02/475220/neighborhoodstat-strengthening-public-safety-community-empowerment/>

<sup>10</sup> [https://johnjayrec.nyc/wp-content/uploads/2020/10/MAP\\_EvalUpdate06.pdf](https://johnjayrec.nyc/wp-content/uploads/2020/10/MAP_EvalUpdate06.pdf)

## Calls for Service Analysis

The Berkeley City Auditor conducted an extensive report on BPD Calls For Service (CFS or events) which was published in July of 2021. NICJR conducted a complementary **Calls for Service Analysis** as part of its work on the City's remaining effort.

The three primary objectives for the NICJR CFS report were to 1) provide an analysis of BPD CFS according to NICJR's crime categories; 2) map NICJR's crime categories to NICJR's proposed Tiered Dispatch model; and 3) identify which CFS should be responded to by a non-BPD alternative.

The proposed Tiered Dispatch model and Community Emergency Response Network (CERN) reduce the burden on police to respond to certain calls for service and improve outcomes through community response to lower level and non-criminal incidents. The CERN will use community safety and problem solving responders who have expertise in community engagement, crisis response, de-escalation, and conflict mediation and resolution skills. Implementing the Tiered Dispatch and CERN can serve to increase public safety by refocusing law enforcement officers on the most serious crimes, applying a more appropriate response to public health and quality of life CFS, and more effectively utilizing public dollars and resources.

A review of over 358,000 CFS over the 5-year study period (2015-2019) found that over 81 percent of BPD CFS were for non-criminal events. Only 7.4 percent of CFS were for felonies of any kind. NICJR's assessment of viable alternative responses indicated that 50 percent of CFS can be responded to with no BPD involvement, with another 18 percent of CFS requiring BPD to be present, but to serve in a support, rather than a lead role.

As a result of an assessment of the CFS and the narrative of the actual incidents, NICJR recommended that alternative response options be developed for the 50 percent of CFS that were determined to not require a law enforcement response.

## Alternative Response Report

The **Alternate Responses Report** expands upon the Calls for Service analysis, providing a detailed overview of NICJR's Tiered Dispatch model, the CERN, and describes how specific call types are assigned to the four tiers:

- **Tier 1:** Non-Criminal: 911 calls and other CFS that are not crimes, like noise complaints or suspicious persons
- **Tier 2:** Misdemeanors
- **Tier 3:** Non-violent felonies
- **Tier 4:** Serious and violent felonies

Eventually, all Tier 1 and some Tier 2 CFS should be able to be responded to by the CERN or other non-police responders.

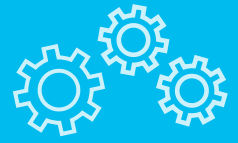
The report concludes with an overview of a framework for the City's alternative response model, drawing upon both existing and planned City resources.

A description and implementation plan utilizing Tiered Dispatch and the CERN model are outlined in detail in the Implementation Plan below.

## Community Engagement Report

Berkeley's Reimagining Public Safety process has included comprehensive outreach and engagement of local community members in an effort to develop a community safety model that reflects the needs of the community and creates increased safety for all. In collaboration with the City of Berkeley's RPSTF and the City Manager's Office, Bright Research Group (BRG) developed and conducted a community survey to gather residents' experiences with and perceptions of BPD and crisis response; and their perspectives on and priorities for reimagining public safety. More than 2,700 people responded to the survey. NICJR and its partners, as well as RPSTF members, held 14 listening sessions to hear from community members, especially hard to reach community members and those not well represented in the survey, including: the unhoused residents, formerly incarcerated, youth, Black residents and Latinix residents. Details of the survey responses and listening session feedback are contained in the [Community Engagement Report](#).

# IMPLEMENTATION PLAN



Based on the extensive research that was conducted by NICJR and partners, input from the community engagement process, feedback from the Task Force and other stakeholders, NICJR provides the following detailed recommendations to the City of Berkeley categorized in the Reduce – Improve – Reinvest framework.

## REDUCE

To achieve the goal of a smaller law enforcement footprint and to reallocate a portion of the BPD budget towards more community supports, NICJR recommends the following measures:

- Implementation of the Tiered Dispatch/CERN model
- End pretextual stops
- Implementation of BerkDOT, which should further reduce the size of BPD

### Tiered Dispatch/Emergency Response Network

The graph below depicts the response to certain 911 and other calls for service based on the Tiered Dispatch model, which contemplates a tiered response to CFS based on the nature of the call as reflected below:



As reflected in the CFS Analysis, 81 percent of the 358,000 calls for service to BPD between 2015 -2019 were for non-criminal events. While some of these calls were determined not to be appropriate for non-police response based on an analysis of call narratives, NICJR recommends that 50 percent of these non-criminal calls be handled by a non-police response.

With BPD freed up to focus its efforts and attention on serious and violent crime, community-based responders can focus on the variety of needs that fall into the identified 50 percent of non-police calls. In addition to being available twenty-four hours a day, seven days a week, the CERN would be designed to build on the professional skills and expertise of non-sworn staff and to utilize collaborative community partnerships and the other necessary resources to appropriately and holistically respond to individuals in need. Some examples of this in practice include:

- **The Albuquerque Community Safety Department** provides a third option when individuals call 911, instead of only having the option of police or fire department services. Community Safety responders are dispatched with and without other first responders (Police and Fire). Community Safety responders may have backgrounds as social workers, peer to peer support, clinicians, counselors, or other similar fields.<sup>11</sup>
- **The Durham Community Safety Department** dispatches trained, unarmed responders that may include licensed clinical social workers and mental health clinicians paired with paramedics to calls involving mental or behavioral health needs, minor traffic accidents, quality of life issues (trespassing, loitering, panhandling, etc), and calls for general assistance.<sup>12</sup>
- **New York City B-HEARD (Behavioral Health Emergency Assistance Response Division) Program** focuses on using a mental-health centered response to 911 mental health calls. The B-HEARD teams have the expertise to respond to a range of behavioral health problems, such as suicide ideation, substance misuse, and mental illness, including serious mental illness, as well as physical health problems, which can be exacerbated by or mask mental health problems.<sup>13</sup>

A national poll conducted in June of 2021 found that 70 percent of likely voters support a non-police response for 911 calls about mental health crises, and 68 percent support the creation of non-police emergency response programs.<sup>14</sup> In many jurisdictions, police are the first to respond to 911 calls about people experiencing issues related to mental health, homelessness, and substance use. However, police officers report not having the proper training or expertise to appropriately respond to those situations and often resort to their training and treat non-criminal situations as crimes.

Chief Eric Hawkins of the Albany, NY police department said, “Fundamentally I don’t have a problem with the basic premise to defund the police, and that is police officers should be doing police work and not social work. Police officers shouldn’t be the point of contact for individuals with mental health issues, substance abuse issues, or unhealthy family structural issues.”

11 <https://www.cabq.gov/acs>

12 <https://durhamnc.gov/4576/Community-Safety>

13 [https://www1.nyc.gov/assets/nypd/downloads/pdf/public\\_information/b-heard-public-faqs-5-27-2021.pdf](https://www1.nyc.gov/assets/nypd/downloads/pdf/public_information/b-heard-public-faqs-5-27-2021.pdf)

14 <https://theappeal.org/the-lab/polling-memos/likely-voters-support-non-police-emergency-response/>



Development and implementation of the Tiered Dispatch model advances the Berkeley City Council’s July 14, 2020, direction “to evaluate initiatives and reforms that reduce the footprint of the Police Department and limit the Police’s scope of work primarily to violent and criminal matters”.<sup>15</sup>

### Tiered Dispatch/CERN Pilot Program

Based on the information garnered from the preparation of its deliverable reports and an understanding of the approaches being taken by jurisdictions across the country, **NICJR recommends the establishment of a Tiered Dispatch/CERN Pilot Program, focused on a subset of the Tier 1 call types that can be used in the pilot phase in order to work out logistical and practical challenges prior to scaling up the program.** Upon implementation of the pilot phase of the Tiered Dispatch/CERN, BPD would no longer respond to the identified subset of Tier 1 (non-criminal) calls for service which would instead be handled by the CERN responders.

**NICJR recommends contracting with local Community Based Organizations (CBOs) who are best prepared to successfully navigate and leverage local resources, services, and supports, to respond to the pilot Tier 1 calls.**

The call types designated for the pilot phase are the 13 call types listed in the Table below. This subset of Tier 1 calls, selected due to the combination of high volume of calls and incidents that could be effectively handled by community responders, accounts for 89,283 total calls or approximately 25 percent of all calls over the 5-year study period.

<sup>15</sup> <https://www.cityofberkeley.info/RIPST.aspx>



Tier 1 Subset of CFS for Pilot	# of calls in 2015	# of calls in 2016	# of calls in 2017	# of calls in 2018	# of calls in 2019
Abandoned Vehicle	403	449	481	476	496
Disturbance	6741	6955	7447	7540	6709
Found Property	900	914	888	779	726
Inoperable Vehicle	-	-	-	1	6
Lost Property	16	16	17	15	14
Noise Disturbance	3359	3307	3239	3158	2709
Non-Injury Accident	561	617	571	564	492
Suspicious Circumstances	2586	2354	2254	2184	2041
Suspicious Person	1628	1698	1756	1653	1479
Suspicious Vehicle	1560	1687	1626	1385	1448
Vehicle Blocking Driveway	-	-	-	345	953
Vehicle Blocking Sidewalk	-	-	-	15	45
Vehicle Double Parking	-	-	-	6	14
<b>Total</b>	<b>17,754</b>	<b>17,997</b>	<b>18,279</b>	<b>18,121</b>	<b>17,132</b>

## Tiered Dispatch/CERN Pilot Program Implementation Steps

NICJR recommends that the City develop and issue a request for proposals to contract with Community Based Organizations (CBOs) to become CERN responders.

NICJR's recommendation is to divide the City into two CERN districts and award contracts to two CBOs to cover each district. Each CERN district should have three teams (one team per shift) of two CERN responders or Community Intervention Specialists, plus two additional Community Intervention Specialists as floaters to cover staff who call out or are on vacation.

For the pilot program, each CERN district would include the following staff:

- 8 Community Intervention Specialists
  - 3 of the Community Intervention Specialists would be leads, to have a lead Community Intervention Specialist (CIS) on each shift
- 1 CERN Supervisor
- 3 CERN Dispatch/Administrative staff

A position overview for the Community Intervention Specialist is included as Appendix A.

Although as a part of the RFP process applicant CBOs would submit proposed budgets, a sample budget of one CERN team is included in Appendix B. According to BPD's June 10, 2021, budget presentation to the City

Council, the Department is currently holding \$6.4 million in annual salary savings in vacant positions while the Reimagining Public Safety process plays out. These funds more than cover the costs of a CERN pilot. This budget does not include training and technical assistance for the CERN and BPD dispatch that NICJR suggest be provided by an organization that has implemented an alternative response program.

## Dispatch

The following information was provided by BPD about dispatch:

Dispatchers are trained to identify approximately 170 pre-established call types for CFS in the CAD system. Some call types may be administrative and specific to BPD or categorized by California penal or vehicle code, and others are categorized by the Berkeley municipal code. Dispatchers are also trained to identify about 40 pre-determined call types for fire and EMS CFS.

The dispatcher identifies an applicable call type to assign the CFS based on what the caller is describing. The call type also determines the response level priority. The reliability of the call type assignment is dependent upon what the dispatcher is being told by the caller. Often the information the dispatcher obtains is unclear, fractured, or incomplete.

If the information or circumstances of an incident do not clearly fit a call type, BPD uses a 'catch all' call type description that dispatchers apply to initiate a response to the CFS. Some examples of call types include:

- 415 (Disturbance)
- SUSCIR (Suspicious Circumstance)
- 10-42 (Welfare Check)
- UNK (Unknown Problem)
- PCVIO (Miscellaneous Penal Code Violation)
- ADVICE (Advice)

Therefore, the outcome of the CFS can be very different from the original call type assignment. Call types may change based on receiving new information prior to an officer arriving on-scene. Once an officer arrives on-scene the call type remains the same, but the final disposition or outcome of the CFS can be different from the call type when dispatched.

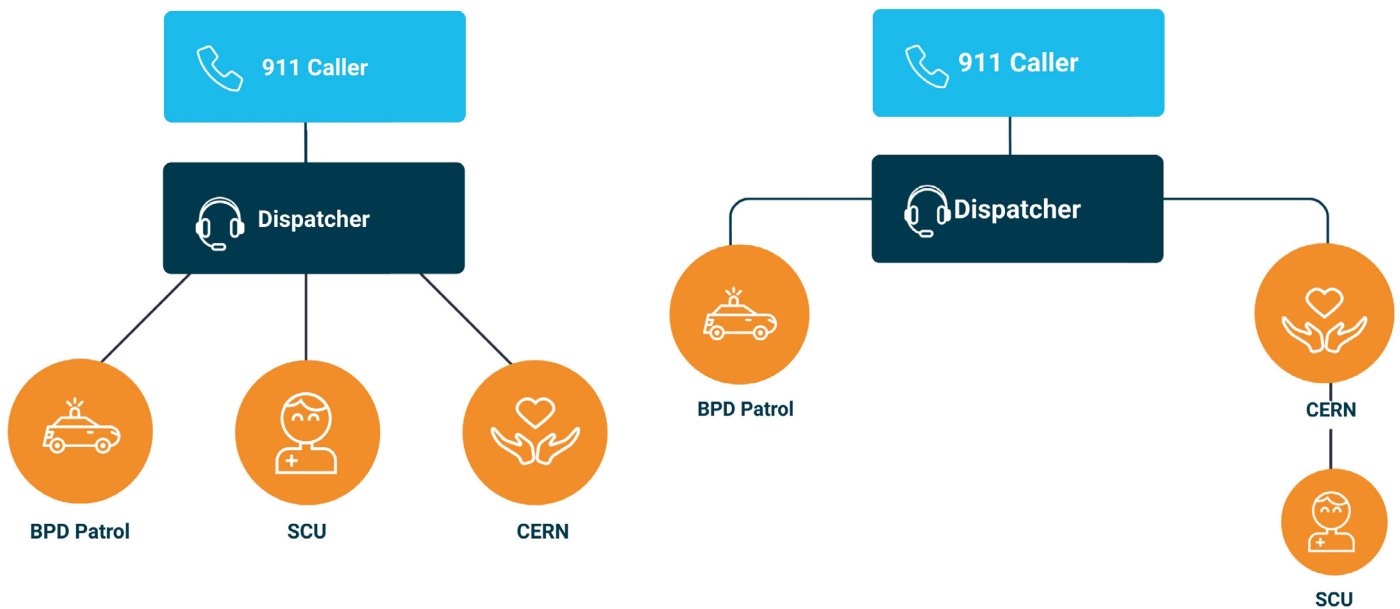
To implement the Tiered Dispatch/CERN model, training will be needed for dispatchers. But, per the process described above by BPD, there is not much of a change to how dispatchers will be asked to operate. When dispatchers identify a call as one of the 13 pilot program call types, they will send that call to the CERN Dispatch in the CERN district the call is coming from.

NICJR has suggested the 13 call types for the pilot initiative based on an examination of the call for service data including the call type at intake as well as final disposition. Appendix C includes a summary of and some actual Berkeley 911/CFS incidents among the 13 suggested call types to be in the pilot.

BPD currently receives many calls to its non-emergency phone line and often dispatches officers to those CFS. The CERN would also receive those CFS through BPD dispatch but the CERN should also have its own direct non-emergency line to receive CFS directly from the community that do not have to be routed through BPD.

## Specialized Care Unit (SCU)

The City of Berkeley has initiated several police reform/public safety reimagining initiatives in the past 18 months, including the development of a SCU that was separate from this Reimagining Public Safety process. NICJR consultants worked with the Task Force and consultants on the SCU project to collaborate on community outreach addressing response to mental health calls. In the broad survey that received more than 2800 responses, a large majority of the respondents (80.8%) indicated a preference for trained mental health providers to respond to calls related to mental health and substance use, with most among those respondents indicating that police support should be available when needed.<sup>16</sup> NICJR has received occasional updates on the SCU development process. The final report on the SCU is due to be released on the same day as the submission of the draft of this Final Report to the City and Reimagining Public Safety Task Force. With the understanding that the SCU will respond to calls for service related to mental health and substance abuse, NICJR recommends that either the SCU becomes a division of the CERN and responds to the specified call types identified in the SCU development process or that the SCU becomes a separate, third dispatch option. Both options are depicted below:



## Example Tiered Dispatch/CERN Response from Call to Completion

A Berkeley resident who lives in an apartment building calls 911 at 2:00 a.m. saying there has been ongoing loud music and noises coming from a nearby unit in the apartment building. The dispatcher determines that the call is a 415E - Noise Disturbance call in South Berkeley and routes the call information to the South Berkeley CERN. The CERN dispatcher calls or radios the Community Intervention Specialist team on duty and provides them information about the call, both verbally and in the CAD, and directs them to the call.

The CIS team arrives on scene and hears the loud music. They knock on the door that the music is emanating from and talk with the occupants. After some discussion using their mediation training, the CIS team convinces the occupants to turn down their music. The lead CIS enters notes into the CAD (or other data system if an alternative is decided upon)

In 2019, according to the BPD CAD data, there were at least 1,000 disturbance calls for service involving loud music. Nearly all of those calls were responded to by a sworn police officer.

Once the pilot has been initiated, NICJR recommends the following steps:

1. Assess the pilot program, including response times, resolution of emergency, how often officers are being requested to the scene by the CERN, and other measures;
2. Implement regular CERN debriefs to assess circumstances in which officers were asked to respond and the associated outcome, as well as when they were not called and the associated outcome -- this will assist in identifying potential expansion or reduction of specific types of CFS in each response tier and allow the City to better tailor the program to the community needs;
3. Evaluate administrative, budget, and staffing implications from the transfer of services, noting both successes and challenges that impact program implementation - i.e. vacant positions, staff turnover, access to data, additional or specific training needed etc.;
4. Gradually expand the pilot to have CERN respond to all Tier 1 CFS

Alternative responses should be piloted and scaled after proven effective. As the Tiered Dispatch system is built out, BPD patrol staffing can be reduced through attrition and the budget can be reduced, and more funds can continue to be made available to support alternative responses and investment in addressing root cause issues.

NICJR is not recommending officer layoffs, but reducing the BPD budget through attrition. According to data provided by BPD, in the five years between 2016-2020, an average of 17 officers per year left the Department.

As alternative response is implemented, BPD should concentrate its officers' efforts on serious, violent felonies, with a top priority on gun crimes. We also recommend shifting BPD resources and staff time (sworn and non-sworn) to investigations, with a focus on solving violent crimes and improving clearance rates.

## Potential CERN CBO Providers

There are a small number of community based organizations in Berkeley that could operate a CERN. Three of these are briefly highlighted below:

### **Building Opportunities for Self-Sufficiency (BOSS)**

Established in 1971, Building Opportunities for Self-Sufficiency (BOSS) oversees a variety of programs and services encompassing housing, reentry, violence prevention, employment, education, and criminal justice policies. A major initiative BOSS has created is Neighborhood Impact Hubs, which provide resources and services to neighborhoods in Alameda County that experience concentrated poverty and violence. Supports provided include job training, community outreach, peer support, mediation, and others.<sup>17</sup>

BOSS also operates many transitional and permanent housing sites for individuals experiencing homelessness. Specialists known as Housing Navigators work to provide housing to individuals and families in the BOSS Network as well as those referred to the organization by way of the 211 Coordinated Entry System and Alameda County Behavioral Health Care Services.<sup>18</sup> BOSS also manages Street Outreach teams in Oakland, working in neighborhoods with high rates of violence. BOSS has worked in Berkeley since its inception.

### **Bonita House, Inc.**

Bonita House, Inc. is a non-profit organization that provides an array of services ranging from treatment for psychiatric and substance use disorders, intensive residential treatment, independent living programs, housing and employment assistance, and outpatient case management. The organization takes a social rehabilitative approach to assisting people recovering from mental health and substance use disorders.<sup>19</sup>

Currently, Bonita House, Inc.'s Creative Wellness Center (CWC) is funded by the City of Berkeley and serves as an entry point for recovery and supportive services for people with mental health needs and co-occurring conditions. Bonita House recently launched a Community Assessment and Transport Team (CATT) to serve as a crisis response system. This program is a joint effort among Alameda County Health Care Services Agency programs, 911 dispatch, the County Sheriff's Office, and others. Through CATT, a mental health provider and an Emergency Medical Technician will be available in a mobile transport unit to assist clients with a medical assessment along with transport to further services.<sup>20</sup>

### **Bay Area Community Services (BACS)**

Bay Area Community Services (BACS) was established in 1953 to elevate under-served individuals and families by supplying innovative behavioral health and housing assistance in northern California. BACS' philosophy centers on a trauma-informed, person-centric approach.<sup>21</sup> The organization's North County Housing Resource Center (HRC) connects adults across Alameda County with housing opportunities. Services include housing navigation, financial assistance, legal workshops, and connections to additional resources.<sup>22</sup> The HRC is a part of Berkeley's Coordinated Entry System (CES), an initiative which aims to more effectively tackle homelessness.<sup>23</sup>

Another major program BACS administers is the Berkeley Pathways STAIR Center. The Berkeley Pathways STAIR Center is a re-housing program that assists individuals experiencing homelessness with transitioning into permanent housing in West Berkeley.<sup>24</sup> Open twenty-four hours a day, seven days a week, individuals at the STAIR Center are connected to case managers, supplied with meals and storage, and provided mental health services.<sup>25</sup> A critical component of the program is street outreach, in that outreach workers sustain

<sup>17</sup> <https://www.self-sufficiency.org/supportsjcf>

<sup>18</sup> <https://www.self-sufficiency.org/housingnavigation>

<sup>19</sup> <https://bonitahouse.org/about-us/>

<sup>20</sup> <https://bonitahouse.org/catt/>

<sup>21</sup> <http://bayareacs.org/who-we-are/>

<sup>22</sup> <http://www.bayareacs.org/wp-content/uploads/2019/07/HS-Flyer-HRC-North-County.pdf>

<sup>23</sup> <https://www.cityofberkeley.info/homeless-entry/>

<sup>24</sup> <https://alamedakids.org/resource-directory/view-program.php?id=1223>

<sup>25</sup> <https://chancellor.berkeley.edu/sites/default/files/berkeleypathwaysinformation.pdf>

a presence in Berkeley's encampments and build relationships with their residents. During the first year of the STAIR Center, 170 individuals acquired a STAIR bed, with 101 clients exiting the shelter to permanent housing.<sup>26</sup>

## Berkeley Police Department Staffing & Budget Implications with Implementation of Tiered Dispatch & CERN

### Implementation of the Community Emergency Response Network (CERN) Pilot:

According to BPD's June 10, 2021 budget presentation to the City Council, the Department is currently holding \$6.4 million in annual salary savings in 30 vacant positions (23 sworn/7 un-sworn) while the Reimagining Public Safety process plays out. These funds more than cover the costs of implementing a CERN pilot, which is estimated to cost \$2.5 million.

### Full Implementation of Tiered Dispatch and CERN:

BPD has 164 total sworn officers.<sup>27</sup>

According to a BPD presentation to the RPSTF, as of March 2021, there were 97 officers assigned to the Patrol Division, not including 16 reserve officers.<sup>28</sup>

Based on NICJR's assessment of Calls for Service (CFS), it was determined that 50% of CFS could be responsibly responded to by an alternative response program, like CERN. If fully implemented well, in stages to ensure safety and quality, Tiered Dispatch and CERN could result in a 50% reduction in the BPD's Patrol Division.

### Reduce BPD Patrol Division by 50%:

- Reducing the Patrol Division by 50% would equate to 49 officer positions.
- We suggest transferring 5 officers to the recommended Quality Assurance and Training Bureau under the new HALO initiative.
- We suggest transferring another 5 officers to investigations to increase the solve rates of serious and violent crime.
- This would leave 39 officer FTEs to eliminate.
- Cost per officer: \$245,656 annually
  - Step 3 Median salary: \$56.24 per hour x 2080 hrs (year of work) + 110% for benefits and other compensation (this fringe rate verified by City Administrator)
  - Does not include equipment costs (car, gun, computer, phone, protective equipment etc.)

### Savings:

- Eliminating 39 FTEs in the patrol division would generate an annual savings of \$9,580,584.
- These dollars can be used to fund the CERN as well as increased investment in fundamental cause issues (education, housing, employment, drug treatment, mental health, etc).

<sup>26</sup> [https://www.cityofberkeley.info/Clerk/City\\_Council/2019/09\\_Sep/Documents/2019-09-24\\_Item\\_41\\_Pathways\\_STAIR\\_Center\\_\\_First\\_Year\\_Data\\_Evaluation.aspx](https://www.cityofberkeley.info/Clerk/City_Council/2019/09_Sep/Documents/2019-09-24_Item_41_Pathways_STAIR_Center__First_Year_Data_Evaluation.aspx)

<sup>27</sup> Quick Facts - City of Berkeley, CA

<sup>28</sup> Berkeley Patrol Operations ([cityofberkeley.info](http://cityofberkeley.info))

## Time Frame:

- Reallocate funds from current vacant BPD positions to fund the CERN pilot and investment in community based services as identified in the Reinvest section of this report.
  - 23 current sworn vacancies x \$245,656 = \$5,650,088<sup>29</sup>
- Three CERN teams (which would serve one CERN district for 24 hours) have an estimated annual cost of \$1.26 million (see Example CERN Budget in Appendix B)
  - The proposed pilot includes 6 CERN teams (two districts, one team per shift for three shifts a day) for an estimated annual cost of \$2.52 million
- BPD Annual attrition rate: 17 officers per year at annual savings of \$4,176,152.
- With the annual attrition savings: Expand CERN each year by 6 CERN teams (doubling each district's staff or dividing the city into three districts) at an estimated cost of \$2.52 million and invest the remaining \$1.65 million in community-based services.
- Though the final decision will have to be determined by the outcomes of the pilot, NICJR estimates a fully implemented CERN in Berkeley would have:
  - 3 CERN Districts: 2 teams per shift, per district for a total of 6 teams per shift across the 3 districts, for a total of 18 teams.
  - 18 CERN teams = estimated cost of \$7.59 million.
  - Full implementation can be achieved two years after the pilot is initiated.
  - Two years of attrition equals 34 eliminated positions, 5 positions short of the full 39 identified as able to safely reduce from the Patrol Division. Revaluation after two years can determine the need for those 5 positions or move forward with elimination to increase investment in community-based services.

## A Note about Violent Crime: (Update by BPD on 10/19/21)

- In 2020, total Part One crime in Berkeley decreased by 11% overall.
- Part One Violent Crime decreased by 13% (81 crimes), and Part One Property Crimes decreased by 11% (738 crimes).
- In the first six months of 2021, total Part One crime in Berkeley decreased by 12% overall compared to the same timeframe in the prior year. Part One Violent Crime decreased by 10% (29 crimes), and Part One Property Crimes decreased by 12% (362 crimes).
- Homicides increased from zero in 2019, to five murders in 2020. There were no homicides in the first six months of 2021.
- Robberies decreased by 26% with 274 incidents as compared to 369 in 2019.
- In the first half of 2021, robberies decreased by 1% with 148 incidents as compared to 150 in the same timeframe in 2020.
- Shootings: There were 40 confirmed shooting incidents in 2020 versus 28 in 2019. There were 38 confirmed shooting incidents in the first nine months of 2021 versus 26 incidents in the same timeframe in 2020.
  - Confirmed shooting incidents include loud report calls where shell casings or other evidence of gunfire is found. In 2019 and 2020, arrests were made in at least a third of these incidents.

<sup>29</sup> Budget ([cityofberkeley.info](http://cityofberkeley.info))

## End Pretextual Stops

Pretextual or “pretext” traffic stops occur when police officers stop a driver for a minor violation, like vehicle equipment failure, and then try to leverage that opportunity to find evidence of a more significant crime, or when officers have made the stop on a low level violation assuming the driver or vehicle occupants are guilty of more serious offenses the officer is trying to find. A recent evaluation of 100 million traffic encounters demonstrated that Black and Latino drivers experience higher rates of pretextual stops and searches.<sup>30</sup> However, most of these stops do not actually yield any contraband or weapons.<sup>31</sup> Because the nature of pretextual stops relies heavily on officer discretion, there is a high likelihood that implicit racial biases come into play. Such stops that end in violence or death disproportionately affect Black and Latino drivers.<sup>32</sup>

Despite public concern, elimination of pretextual stops does not increase crime rates. An analysis by the police department in Fayetteville, North Carolina showed that violent crime was not affected after the police department reformed its use of pretextual stops.<sup>33</sup>

Pretextual stops are in the process of being regulated in many states across the country. Oregon’s Supreme Court ruled in November 2019 that it was unconstitutional for police to stop a driver and proceed to ask unrelated questions, thereby effectively banning pretextual stops.<sup>34</sup> Virginia policymakers recently passed a bill restricting pretextual stops.<sup>35</sup> Other legislation has been introduced across the country that prevents police officers from conducting certain types of pretextual stops including, for example, broken tail or brake lights, objects obstructing the rearview mirror, and tinted windows.<sup>36</sup> Advocates of these bills state the proposed limitations would decrease racial incongruities in traffic stops.<sup>37</sup> The Berkeley City Council has already approved the formation of BerkDOT in order to address and decrease the frequency of pretextual traffic stops.<sup>38</sup> The City Council also approved the recommendations of the Mayor’s Workgroup on Fair and Impartial Policing, which included the elimination of pretext stops.

## BerkDOT

Another element of the George Floyd Act passed by the Berkeley City Council was to create the Berkeley Department of Transportation (BerkDOT), the purpose of which would be to enhance safety and mobility in Berkeley. Although California law does not currently allow for an alternative response to traffic stops, the vision for the new civilian-staffed BerkDOT combines the current Public Works Department’s above-ground street and sidewalk planning, maintenance, and engineering responsibilities and 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.

30 <https://www.vera.org/blog/ending-pretextual-stops-is-an-important-step-toward-racial-justice>

31 <https://www.law.upenn.edu/live/files/7898-rudovskyoslj>

32 <https://www.berkeleyside.org/2021/03/02/opinion-for-berkeley-to-reimagine-public-safety-we-must-grapple-with-traffic-enforcement>

33 <https://inpejournal.biomedcentral.com/articles/10.1186/s40621-019-0227-6>

34 <https://www.opb.org/news/article/oregon-supreme-court-bans-police-officers-random-questions/>

35 <https://lis.virginia.gov/cgi-bin/legp604.exe?202+sum+HB5058>

36 <https://theappeal.org/traffic-enforcement-without-police/>

37 <https://www.dailypress.com/news/crime/dp-nw-northam-legislation-traffic-20201021-3f2tmucyl5csdmbhhv2zh3atya-story.html>

38 <https://www.berkeleyside.com/2021/03/02/opinion-for-berkeley-to-reimagine-public-safety-we-must-grapple-with-traffic-enforcement>



## IMPROVE

This section focuses on how BPD and the public safety system in Berkeley can improve its quality, increase its accountability, and become more transparent. NICJR recommends the following improvement strategies:

- Implementation of HALO
- Creation of Bay Area Progressive Police Academy
- Implement additional police reform measures: Increase diversity of BPD leadership; Increase standards for Field Training Officers; and further amend the BPD Use of Force policy

### Highly Accountable Learning Organization

During community listening sessions with Black, LatinX, system-impacted, and unstably housed / food-insecure residents there was a common perception amongst participants that the BPD is racist and classist. They expressed feeling targeted and unsafe with a militarized, aggressive approach to policing by BPD.<sup>39</sup> A Highly Accountable Learning Organization (HALO) is one that holds staff accountable and continues to learn and grow. A HALO police department is one where staff hold each other accountable, where management trains, coaches, and encourages staff and admonishes and disciplines when necessary. A HALO police department continually learns and improves its performance. It immediately responds to poor performance, critical incidents, and problematic staff with accountability, learning, training, and correction. A HALO police department provides significantly more training than the minimum required by the California Peace Officer Standards and Training (POST).



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**NICJR recommends that the Berkeley Police Department become a Highly Accountable Learning Organization.** BPD's HALO initiative would include the following:

- Implementation of a peer intervention program like EPIC and ABLE which train officers to intervene when they observe fellow officers engaged in inappropriate behavior.
- In line with recommendations from the Mayor's Task Force on Fair and Impartial Policing which were adopted by the Council, BPD should implement or improve on the Early Intervention System (EIS). The EIS should be designed to catch problematic officers early and provide appropriate training and correction or discipline and dismissal.
- Creation of Quality Assurance and Training Division: Significantly expand the current Training Unit and develop a Quality Assurance and Training Division that provides additional training, reviews body worn camera footage, and reviews critical incidents and complaints to develop officer and squad specific trainings.
- Increase Transparency: Provide regular reports to the public and increase the open data portal.

### Ethical Policing Is Courageous (EPIC)

The EPIC program is a peer-to-peer intervention strategy that was created by the police department in New Orleans, Louisiana in 2016. EPIC involves training officers to be accountable to each other and to intervene before an unlawful act takes place, irrespective of hierarchy. This initiative aims to alter the culture surrounding policing in order to limit police misbehavior and promote a collaborative environment.<sup>40</sup>

<sup>39</sup> Page 38 of the Community engagement report

<sup>40</sup> <http://epic.nola.gov/home/>

The EPIC program is founded on active bystandership psychology, which explains that active bystanders intercede when they are made aware of problematic behavior. EPIC training allows officers to overcome factors that may prevent them from intervening. These factors include a lack of confidence in their ability to deescalate a situation, uneasiness about potential retribution, and worry about breaking an unwritten code of silence.<sup>41</sup>

Leadership in police departments who participate in the EPIC program must be committed to changing their organizational culture. Police departments implementing EPIC must provide education, training, and on-going learning and support to officers for the initiative to be successful. EPIC can also integrate with other initiatives to boost officer well-being, including counseling and trauma assistance as well as stress reduction education.<sup>42</sup>

Data has shown that police departments where EPIC programs have been implemented have better community relations, lower rates of misconduct, and lower rates of public grievances. The majority of the feedback from New Orleans police officers has also been positive.<sup>43</sup> Moreover, there is strong research that peer intervention is effective when successful strategies for interceding are provided.<sup>44</sup>

### Project Active Bystandership for Law Enforcement (ABLE)

Project ABLE is a joint effort between the Georgetown Innovative Policing Program and the Sheppard Mullin law firm to train officers to be able to properly intervene in a crisis situation and promote a policing atmosphere that reinforces peer intervention. Project ABLE is based on the principles of the New Orleans EPIC Peer Intervention Program and curriculum created by Dr. Ervin Staub for California law enforcement. Through Georgetown, law enforcement agencies are able to receive training in Project ABLE along with a host of other resources to assist them in advancing their own bystandership strategies.<sup>45 46</sup> The training consists of a minimum of a one-time, eight hour ABLE-specific training along with a minimum of two hours of annual refresher training.<sup>47</sup> All of these resources are provided to law enforcement agencies free of charge.

Project ABLE's aim is to reduce police misconduct and errors and assist in improving officer health and well-being. In order to prevent any retaliation from occurring to those officers who intervene, police departments must implement stringent anti-retaliation guidelines. Since its inception, over 70 police departments have enlisted in Project ABLE.<sup>48</sup>

Research has shown that there are many advantages to the implementation of significant bystander training. This is critical because most police departments have a culture that dissuades officers from intervening when they see problematic behaviors.<sup>49</sup> Identified benefits include a decrease in violence to civilians, a decrease in violence to police officers, enhanced relationships between community residents and the police officers, and growth in officer well-being.<sup>50</sup> Evidence also suggests a strong correlation between departments that maintain robust duty to intervene protocols and decreased rates of police deaths per capita.

BPD should join the ABLE program to receive training and technical assistance and use the new Quality Assurance and Training Bureau discussed below to ensure the department adheres to the training, principles, and practices of the program.

41 <http://epic.nola.gov/epic/media/Assets/EPIC-Overview.pdf>

42 Id.

43 <https://www.apa.org/monitor/2017/10/police-misconduct>

44 <https://epic.nola.gov/epic/media/Assets/Aronie-Lopez,-Keeping-Each-Other-Safe.pdf>

45 <https://www.law.georgetown.edu/cics/able/>

46 <https://www.law.georgetown.edu/innovative-policing-program/active-bystandership-for-law-enforcement/our-mission/>

47 <https://www.law.georgetown.edu/innovative-policing-program/active-bystandership-for-law-enforcement/able-program-standards/>

48 <https://www.wsj.com/articles/nypd-officers-to-get-training-on-speaking-up-against-bad-policing-11611838809>

49 [https://assets.foleon.com/eu-west-2/uploads-7e3kk3/41697/pdf\\_-\\_duty\\_to\\_intervene.6e39a04b07b6.pdf](https://assets.foleon.com/eu-west-2/uploads-7e3kk3/41697/pdf_-_duty_to_intervene.6e39a04b07b6.pdf)

50 <https://www.law.georgetown.edu/innovative-policing-program/active-bystandership-for-law-enforcement/able-program-standards/>

## Early Intervention System

Early intervention systems (EIS) – also known as Early Warning System (EWS) or Early Warning and Intervention System (EWIS) – can be thought of as a personnel management or risk management tool designed to identify potential problematic behavior that puts the individual, organization, and/or community at risk. These systems consolidate a variety of data as well as indicators to analyze for potentially problematic behavior as early as possible. Indicators include but are not limited to: use of force incidents; citizen complaints; and disciplinary history. Identification of habitual misconduct by officers is often accomplished through a “peer officer comparison system” where officers assigned to the same beat are juxtaposed.<sup>51</sup> Once an officer is identified by the EIS for habitual misconduct, training, supports, and services to aid the officer are provided to encourage officer wellbeing and aid in behavioral change that is consistent with organizational and community goals. Continued monitoring of officer progress, as well as frequent reviews of EIS data, is necessary for successful implementation.<sup>52</sup> The collection and analysis of aggregate data within EIS is also recommended to be utilized to identify problem areas within teams, units, departments, or entire organizations.

Examples of areas that EIS commonly tracks are:

Performance category	Possible considerations
Arrests, especially excessive ‘discretionary’ arrests	May signify underlying bias of officer or over-zealousness; or could be due to agency reinforcement of arrests as a “good statistic” (therefore an agency-level problem)
Traffic Stops	May highlight concern over bias if indicative of profiling, may be due to agency reinforcement of arrests as a “good statistic” (therefore an agency-level problem)
Use of force by type (e.g., baton, pepper spray, gun, etc.)	Limited use of less lethal may indicate underlying fear or lack of confidence in ability to resolve encounters with a minimal amount of force. May uncover bias, overly aggressive tendencies, lack of verbal ability, lack of skill or training in de-escalation.

In February 2021, the Mayor’s Task Force on Fair and Impartial Policing recommended the implementation of an EIS and outlined the following seven areas in which the EIS should focus:

1. Evaluate and assess stop incidents for legality and enforcement yield.
2. Analyze data to determine whether racial disparities are generalized across the force or are concentrated in a smaller subset of outlier officers or squads/groups of officers. To the extent that the problem is generalized across the department, supervisors as well as line officers should be re-trained and monitored, and department recruitment, training, and structure should be reviewed. In addition, department policy should be examined for their impacts.
3. Where disparities are concentrated in an individual or a group of officers, with no race-neutral legitimate evidence for this behavior in specific cases, initiate an investigation to determine the cause for the disparity. Evaluate whether there are identifiable causes contributing to racially disparate stop rates and high or low rates of resulting enforcement actions exhibited by outlying officers. Determine and address any trends and patterns among officers with disparate stop rates In the risk management process, the responsible

<sup>51</sup> <https://samuelwalker.net/issues/early-intervention-systems/>

<sup>52</sup> <https://www.policefoundation.org/publication/best-practices-in-early-intervention-system-implementation-and-use-in-law-enforcement-agencies/>



personnel in the chain of command reviews and discusses the available information about the subject officer and the officer's current behavior.

4. Absent a satisfactory explanation for racially disparate behavior, monitor the officer. Options for the supervisor in these cases include reviewing additional body-worn camera footage, supervisor ride-alongs, and other forms of monitoring. Further escalation to intervention, if necessary, may include a higher form of supervision, with even closer oversight. If performance fails to improve, command should consider other options including breaking up departmental units, transfer of officers to other responsibilities, etc. The goal of this process is to achieve trust and better community relations between the department as a whole and all the people in Berkeley. Formal discipline is always a last resort unless there are violations of Department General Orders, in which case this becomes an IAB matter.
5. Identify officers who may have problems affecting their ability to make appropriate judgments, and monitor and reduce time pressures, stress and fatigue on officers.
6. An outside observer from the PRC shall sit in on the risk management and/or EIS program. Reports from these meetings, or other accurate statistical summary, can be given to the commission without identifying any officers' names.
7. Report the results of this data analysis quarterly.

In response to the Fair and Impartial Policing recommendations, BPD has indicated it is implementing an EIS for traffic, bike, and pedestrian stops, which is a very good start. NICJR recommends that the EIS should also be expanded to assess all Use of Force incidents, complaints, and information gleaned from the Body Worn Camera (BWC) footage reviewed by the Quality Assurance and Training Bureau described below.

### Quality Assurance and Training Bureau

In order for BPD to become and maintain a Highly Accountable Learning Organization, it must have an internal accountability and continual improvement process and structure. To this end, as a part of the HALO initiative, **NICJR recommends that BPD either expand its current Personnel and Training Bureau or create a new Quality Assurance and Training (QAT) Bureau.** The QAT Bureau would be responsible for supporting officers and personnel throughout the Department to maintain and increase high standards and professionalism, as well as quickly detect and correct any patterns of misconduct.

The QAT Bureau should examine every complaint filed, every Use of Force, and regularly examine BWC footage to assess where individual officers, squads, and the entire Department need additional training, specialized training, and coaching, to address the specific deficiency discovered through the complaint, incident, or pattern observed.

Unlike current operations, if the QAT Bureau observed discourteous treatment by an officer, they would be authorized and required to pull that officer into a special training and/or coaching session. The QAT Bureau would then review the BWC footage of officers in that squad to determine if there was an issue with the entire squad and sergeant.

The QAT Bureau would also increase the number and quality of trainings currently offered in the Department. POST, which oversees mandated training of officers in California, only requires 40 hours of training per year, but local departments can go beyond that minimum. Under the HALO initiative, BPD officers should receive far more training than the minimum POST requirements. In addition to *more* training, the QAT unit would provide not just one-size fits all training to a group of officers, but specifically tailored training to individual officers and squads based on their needed improvements or after critical incidents.

BPD has conducted a number of good trainings for its officers and non-sworn staff, including: Fair and Impartial Policing; Principled Policing; Bias Based; Communication-Keeping Your Edge; and Implicit Bias (a full listing of the trainings BPD provided to NICJR is in Appendix D). Based on the information BPD provided, there has not been a single Fair and Impartial Policing training in five and a half years, and not one held for all officers for the past seven.

Increased training and education programs are frequently promoted to police departments to help improve the quality of policing and support officers in gaining new skills. As noted by two Columbia Law School professors in an article on police reform, "... training does not take root unless officers are held accountable for obeying the rules and practicing the skills they are taught."<sup>53</sup> **Training alone is not adequate to transform a police department or change the behavior of an officer. But combined with culture change, new policies and accountability, training can be an effective tool to improve and reform the police.**<sup>54</sup>

One of the trainings BPD should add for all officers is a full day Procedural Justice course. According to the Department of Justice's Community Oriented Policing Services, "Procedural justice refers to the idea of fairness in the processes that resolve disputes and allocate resources. It is a concept that, when embraced, promotes positive organizational change and bolsters better relationships."<sup>55</sup>

A comprehensive evaluation of procedural justice trainings found that "training increased officer support for all of the procedural justice dimensions. Post-training, officers were more likely to endorse the importance of giving citizens a voice, granting them dignity and respect, demonstrating neutrality, and (with the least enthusiasm) trusting them to do the right thing."<sup>56</sup> Several evaluations of procedural justice have found the education has been correlated with an improvement in relations between a community and a police department. In Oakland, CA, the police department trained all officers in procedural justice and provided specialized procedural justice training to the department's gun violence reduction unit. Oakland's police department was also the first department in the country to have members of the community teach a portion of the procedural justice training. BPD should increase its use of local community members providing training to officers.

To implement the QAT Bureau, **NICJR recommends that BPD transfer five officers from the patrol division and two civilian staff into what is now the Personnel and Training Bureau and rename it the Quality Assurance**

53 <https://www.themarshallproject.org/2014/12/19/the-new-new-policing>

54 <https://nicjr.org/wp-content/uploads/2021/08/GeneralNewAndEmergingReport.pdf>

55 <https://cops.usdoj.gov/proceduraljustice>

56 <https://www.scholars.northwestern.edu/en/publications/training-police-for-procedural-justice>

and Training Bureau and amend the duties of those officers to achieve the above goals. With the implementation of the Tiered Dispatch model, the patrol division will have significantly less work load and officers can be reassigned to other duties, like the QAT Bureau.

Increased training hours will require negotiation with the union and the City Manager's Office will have to engage with the Meet and Confer process to implement these changes.



### Greater Transparency

The issues of accountability and transparency in policing are intertwined and efforts to address each often include both. There are, however, specific efforts that work to daylight information about departmental activities as well as individual officers' behaviors for the purposes of identifying patterns and problems.

**BPD should provide semi-annual reports to the public on stops, arrests, complaints, and uses of force, including totals, by race and gender, by area of the city, and other aggregate outcomes.**

The Oakland Police Department (OPD) recently implemented a series of Microsoft Power BI (Business Intelligence) dashboards that allow for a precise review of police behavior. Working with Slalom, a data consulting firm, OPD has increased transparency and accountability through data analysis. Patterns of enforcement, historical activity, and performance over time are all monitored in close to real-time.<sup>57</sup>

The dashboards were created with input from OPD staff and leadership, community based organizations, other law enforcement agencies, and Stanford University's SPARQ (Social Psychological Answers to Real-world Questions). Each dashboard can be accessed by OPD leadership, depending on security clearance. The dashboards have a simple interface, allowing supervisors to access and understand the data easily. Police supervisors can access a variety of data, from long-term information to arrests made within the last twenty-four hours.<sup>58</sup> Dashboards allow for an easy breakdown of incidents by factors including race, gender, ethnicity, and officer. This permits police departments to monitor problematic patterns and address them quickly.<sup>59</sup> One necessary improvement with these systems is allowing the public access to the information.

### Bay Area Progressive Police Academy

The following section of this report provides detailed research, components, and recommendations to support the development of a Bay Area Progressive Police Academy (BAPPA) to address what has been identified as a significant and stark mismatch between the primary reasons for calls for service and the training that officers receive to appropriately respond to those calls.

A progressive training program like BAPPA understands, values, and reinforces through the appropriate proportion of skill building and practice that first and foremost an officer must create a positive relationship with the community and that relationships are built on communication and personal interaction. BAPPA instructors would teach using guidance, coaching, and feedback, rather than humiliation or demands for

<sup>57</sup> <https://www.slalom.com/case-studies/city-oakland-creating-police-transparency-and-trust-data>

<sup>58</sup> <https://medium.com/slalom-data-analytics/data-is-the-new-sheriff-in-town-but-is-it-biased-4aa140904dd7>

<sup>59</sup> <https://cao-94612.s3.amazonaws.com/documents/Police-Commission-7.23.20-Agenda-Packet.pdf>

compliance. The approach emphasizes critical thinking, active and engaged learning, and thoughtful, informed, and quick analysis. It also prioritizes a strong understanding of human behavior including behaviors exhibited by individuals experiencing high degrees of stress, shock, trauma, or in more extreme circumstances, a mental health crisis, and integrates real-life scenarios and debriefs that teach which responses are likely to escalate or de-escalate a situation.

The BAPPA structure would be centered on adult learning models and focus on the demonstrated acquisition and application of well-practiced skill as opposed to rote memorization. The content of the curriculum will include honest discussions about civil rights, the Constitution, what it means to connect to, uphold, and exhibit the values inherent in a community guardian, and to serve a community in which you are responding to highly vulnerable, rather than just potentially threatening people. The program's focus is to hold both officer safety and public trust in equal proportions -- not in competition or as mutually exclusive.

Although activists' concerns and complaints dominate the headlines, when asked to reflect on the relevance and utility of their academy experience, much of the criticism has come from officers themselves.<sup>60 61</sup> Police administrators have also expressed that they do not believe that police academy training is sufficient in preparing officers for the reality of the work they are asked to do.<sup>62</sup>

The general disconnect between academy training and job preparation tends to revolve around two interrelated topics concerning the content and delivery of academy curriculum: 1) the typical paramilitary format fails to prepare recruits to work in a manner consistent with the community-oriented police services model; and 2) it is delivered in a manner that is inconsistent with basic principles of adult-learning theory and styles. Essentially, in order to produce officers who are able to successfully perform community-oriented policing techniques (e.g., proactive collaboration with community members), **police academies must train recruits to be independent, creative problem solvers who are connected to the human impact of their decisions and see their role as a guardian, not a warrior.**<sup>63</sup>

According to a resolution authored by Berkeley City Councilmember Ben Bartlett and co-sponsored by Mayor Jesse Arreguin in June 2020:

“Berkeley Police Department recruits currently train at the Contra Costa County Sheriff’s Office Academy Training Center, Sacramento Police Academy, Santa Clara County Sheriff’s Office Justice Training Center, and Alameda County Sheriff’s Office Academy Training Center. Unfortunately, these facilities are paramilitary in structure, potentially instilling the warrior mentality that forces a divide between law enforcement and the public and promotes fear. Additionally, the Alameda County Sheriff’s Office’s history of using military technology, deploying armored vehicles, equipping deputies with automatic rifles, and support for Urban Shield casts doubt on the ability of the Alameda County Sheriff’s Office Regional Training Center in Dublin to train cadets in a progressive, non-paramilitary manner.” The resolution goes on to say:

“Rooting out the paramilitary aspect of policing begins with transforming police training. It necessitates equipping officers with practical and effective decision-making methods that prioritize de-escalation and reserve use of force as a last resort. It necessitates teaching police officers that they have the power and the choice to perpetuate or defeat injustice. It necessitates engaging officers with the history of their profession and challenging their socioeconomic and racial biases.”<sup>64</sup>

60 <https://www.emerald.com/insight/content/doi/10.1108/13639519810206600/full/html>

61 <https://psycnet.apa.org/record/1987-29889-001>

62 <https://heinonline.org/HOL/LandingPage?handle=hein.journals/injposcim4&div=25&id=&page=>

63 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6950698/#B2-ijerph-16-04941>

64 <https://www.cityofberkeley.info/uploadedFiles/Clerk/Progressive%20Police%20Academy%20June%202020.pdf>

Unfortunately, the approach in which most police academies continue to be conducted is in a paramilitary fashion. This means that recruits are held to a high standard of discipline and regimentation seemingly for discipline and regimentation sake. They utilize the mentality of a warrior going to battle and view the police force as being an occupying army. This approach has been referred to as the “warrior mentality” for many years. Instilled or reinforced in police officers at the academy, the warrior concept is saturated throughout police culture. Another, more insidious problem in a military-style academy is the



behavior modeled by academy staff. Those without power (recruits) submit without question to the authority of those who have power (academy staff). In this way, academy training staff are often indistinguishable from military drill sergeants, who verbally harass and even demean recruits who are not measuring up.<sup>65</sup> Pushups, extra running, and writing reports are used as punishment for failure to demonstrate skills and/or properly follow directions. Although this type of approach can sometimes build camaraderie, it has not been shown to effectively build recruits’ skill. There are, however, many other ways to build camaraderie while achieving the primary goal of improving the recruit’s skill and ability to do their job. What the paramilitary model has been shown to do is contribute to a fairly high dropout rate. This is especially true in organizations that have implemented newer hiring practices that recruit more mature individuals, with advanced degrees and whose education, training, and life experience has taught them to ask questions, critically analyze, debate, and discuss rather than just follow orders. Which means that the paramilitary training model results in high drop-out or failure rates amongst the very recruits departments are attempting to attract and retain.

The contrast to the warrior mentality is the guardian mentality, which promotes community engagement, the establishment of meaningful relationships, and providing support to residents. The notion of being a guardian or protector of the public is a noble one, one in which trust and respect can replace fear and intimidation. If police agencies are committed to hiring officers who will do things differently and exemplify the guardian qualities, they must create agencies that exhibit those same qualities and train recruits in a manner that reinforces them.

**NICJR recommends that the preceding information be used to develop a Bay Area Progressive Police Academy built on adult learning concepts and focused on helping recruits develop the psychological skills and values necessary to perform their complex and stressful jobs in a manner that reflects the guardian mentality.** In order to leverage resources as well as build a regional approach, BAPPA is proposed as a partnership between area cities that may have similar goals to transform their police departments, which may include: Berkeley, Albany, and potentially Oakland.

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<sup>65</sup> Couper, D.C., *Arrested Development: A Veteran Police Chief Sounds Off About Protest, Racism, Corruption and the Seven Steps Necessary to Improve Our Nation’s Police*, Indianapolis, Indiana: Dog Ear Publishing, 2011.



## Other Police Reform Measures:

### Increase Diversity of BPD Leadership

Overall, BPD has a relatively diverse sworn staff as it relates to Berkeley's demographics in terms of race and ethnicity. But there is a significant disparity in gender, with males making up 86 percent of sworn staff. BPD also only tracks gender as male or female; this should be changed. Another concern is that, of the 13 executive staff in the Department (Lieutenants/Captains/Chief), nine are white, three are Asian, one is Black, and none are Latinx (a chart of BPD personnel by race and rank is in Appendix E). Intentional focus on increasing the racial and gender diversity of BPD line staff and leadership will be important in the near term.

### Increase Standards for Field Training Officers

The Minneapolis police officer who murdered George Floyd was a Field Training Officer (FTO) despite having 13 previous complaints leveled against him and he was involved in three previous shootings.

BPD should amend its policy to disallow any officer from becoming a Field Training Officer who has either more than two complaints or any one sustained complaint in any 12 month period.

### Further Amend the BPD Use of Force Policy

NICJR recommends that BPD's Use of Force policies be revised to limit any use of deadly force as a last resort to situations where a suspect is clearly armed with a deadly weapon and is using or threatening to use the deadly weapon against another person. All other force must be absolutely necessary and proportional.



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## REINVEST

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Berkeley is an affluent city with resources, one of the most well regarded academic institutions in the country, and a progressive electorate that supports social programs. Unfortunately, this combination of assets has not resulted in appropriate and sustained investment in the most vulnerable populations in the city.

The City of Berkeley must increase its investment in communities, families, and individuals who: live in poverty, are unhoused, are unemployed, are underemployed, have mental health challenges, and/or have substance abuse challenges. Particular attention to racial and ethnic intersectionality with respect to these socio-economic demographic characteristics is critically important (especially in relation to Black and Latinx communities). The Community Engagement Report, Appendix J, includes a wealth of input and ideas for investment from many of Berkeley's most vulnerable populations. The information contained in this report can serve an ongoing benefit in addressing the needs of the community and its unique diversity.

When the Tiered Dispatch/CERN model is fully implemented, up to 50 percent of calls for service in the City can be diverted to a non-police response, allowing for BPD staffing to be responsibly and safely reduced and the Department's budget to be significantly reallocated.

Even before the BPD budget can be reduced and reallocated, the City should use General Fund dollars and other revenue sources to increase investment in "fundamental cause" drivers of trauma, crime, and violence. These fundamental causes include, but are not limited to:

- Poverty
- Homelessness
- Education
- Substance Abuse
- Unemployment and underemployment

**NICJR recommends that the City take the following measures to increase investment in vulnerable communities and fundamental cause issues:**

- Launch a Guaranteed Income program to provide monthly stipends to individuals and families living under the poverty level
- Launch a Community Beautification Employment Program
- Increase Funding for Community Based Organizations

### Guaranteed Income

The poverty rates from the national to the local level show deepening poverty levels as we get closer to home. In 2019, the national poverty rate was 10.5 percent and in California it was 11.8 percent.<sup>66</sup> Drilling down, we find that Alameda County's poverty rate was 14.1 percent and that Berkeley's was 19.2 percent.<sup>67</sup> The 2019 American Community Survey conducted by the U.S. Census Bureau reveals that nearly 36 percent of Black and 24 percent of Latino residents live below the poverty line, compared to only 12 percent of white residents.<sup>68</sup> Consistent with those findings, immigrant Californians experienced a poverty rate of 21.6 percent, compared to 14.4 percent for non-immigrants, and poverty among undocumented immigrants was 35.7 percent. More

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<sup>66</sup> <https://www.statista.com/statistics/205434/poverty-rate-in-california/>

<sup>67</sup> <https://www.census.gov/quickfacts/berkeleycitycalifornia>

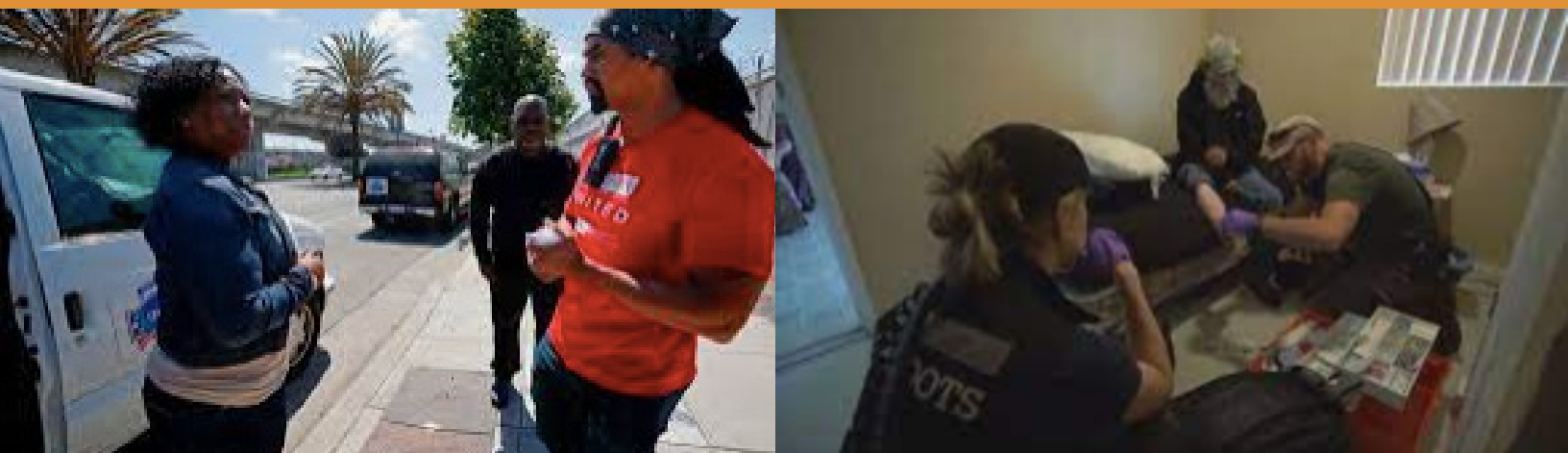
<sup>68</sup> <https://www.census.gov/programs-surveys/acs>

than one in five (21.4 percent) Latinos lived in poverty, compared to 17.4 percent of African Americans, 14.5 percent of Asian Americans/Pacific Islanders, and 12.1 percent of whites.<sup>69</sup>

While Guaranteed Income or Universal Basic Income (UBI) programs have recently become popular in the United States, the state of Alaska has a program that provides regular unconditional payments to residents. The Eastern Band of Cherokee Indians Casino Dividend in North Carolina has given every tribal member between \$4,000 and \$6,000 per year since 1997. Studies of both efforts have shown a reduction in crime associated with the unconditional cash payments. These findings have been replicated in international studies, including one in Namibia which showed a direct correlation between UBI and crime reduction. There are smaller pilot efforts currently underway in the United States. Oakland recently launched a Guaranteed Income program and San Francisco is starting in 2022. In Jackson, Mississippi, Springboard to Opportunities and the Magnolia Mothers Trust are giving \$1,000 per month to Black mothers.

In Stockton, California, 125 residents have been receiving \$500 per month, since February 2019. Former Stockton mayor Michael Tubbs launched the initiative in the city and championed several Mayors from across the country in coming together to pledge to launch UBI initiatives in their cities through Mayors for a Guaranteed Income. A preliminary study of the Guaranteed Income program in Stockton found several positive outcomes, including that recipients were “healthier, showing less depression and anxiety and enhanced well-being.”<sup>70</sup>

Berkeley should launch a Guaranteed Income pilot program similar to other cities in the region. The pilot program should select a subpopulation of 200 Black and Latinx families that have children under 10 years of age and have household incomes below \$50,000. These families should be provided a monthly stipend of \$750 at an annual cost to the City of \$1.8 million, a sum that can be taken from: the General Fund; federal funding already received or forthcoming, or the soon to be passed Infrastructure Bill; or raised through philanthropy akin to the approach in other cities.



## Community Beautification Employment Program

NICJR recommends that the City launch a crew-based employment program, or expand an existing program that employs formerly incarcerated and unhoused people to help beautify their own neighborhood. Hire and train no less than 100 formerly incarcerated and unhoused Berkeley residents to conduct Community Beautification services, including: blight abatement, tree planting, plant and maintain community gardens, make and track 311 service requests, and other community beautification projects.” has been changed to

<sup>69</sup> <https://www.census.gov/programs-surveys/acs>

<sup>70</sup> [SEED\\_Preliminary+Analysis-SEEDs+First+Year\\_Final+Report\\_Individual+Pages+.pdf \(squarespace.com\)](#)

“blight abatement, tree planting, planting and maintenance of community gardens, making and tracking 311 service requests, and other community beautification projects.

There are many Berkeley and Bay Area CBOs that are capable of implementing this program, including the Center for Employment Opportunity (CEO) that operates a crew-based employment program for people on probation in Alameda County or BOSS, which has also provided similar services. However, this program would be focused on beautifying Berkeley neighborhoods and employing Berkeley residents.

A recent study showed that community beautification efforts in Philadelphia had a direct impact in reducing violence in those neighborhoods.<sup>71</sup>

Under AB 109 Criminal Justice Realignment, each year Alameda County receives an allotment of funds from the state to serve adults in the community who are under probation supervision and for other related operations. The Alameda County Board of Supervisors has mandated that half of those funds be allocated to community based services. In fiscal year 2019-2020, Alameda County received more than \$50 million in Realignment funds from the state, with \$25 million of it dispersed to community services.<sup>72</sup>

According to Alameda County Probation Department data, five percent of probation caseloads are from Berkeley. Of the annual \$25 million in Realignment funds allocated to community services each year, 5%, or \$1.25 million, should be spent on Berkeley residents. CEO also provides a crew based employment program in Oakland, which serves 80 people at an annual cost of \$345,000. If Berkeley receives its fair share of Realignment funding, it would more than cover the cost of the Community Beautification Employment program.

## Increase Funding to Community Based Organizations

CBOs that provide services to those who are unhoused, live in poverty, have mental health challenges, have substance abuse challenges, are system-involved, and/or are LGBTQ should receive an increase in funding using Reinvest dollars. A list of Berkeley CBOs that provide such services are included as Appendix F.

For FY 2022, the City of Berkeley plans to spend \$20,484,394 to support CBOs; this allocation level represents a 22 percent decrease from the \$26,311,113 amount allocated to these organizations in FY 2021.<sup>73</sup> At the same time, BPD’s FY 2022 budget saw an increase, from \$65,460,524 (adopted FY21) to \$73,228,172 (proposed FY22), an 11.9 percent increase.<sup>74</sup>

Increased funding can come from Measure W funds (described below); when the BPD’s budget is gradually reduced; the soon to be passed Infrastructure Bill; and concerted efforts to increase philanthropic dollars. Many Foundations, locally and nationally, are interested and have funded Reimagine Public Safety efforts. If the City of Berkeley adopts the innovative measures in this report and through other efforts being developed from the George Floyd Act, it will attract greater investment from philanthropy.

The City of Berkeley should increase funding to CBOs in one of two ways:

- An across the board 25% increase of grant amounts to currently funded CBOs
- Create a local government agency to be the centralized point of coordination, such as a Department of Community Development to develop a detailed plan to increase the investment in local CBOs that provide services to address fundamental cause issues.

71 Citywide cluster randomized trial to restore blighted vacant land and its effects on violence, crime, and fear | PNAS

72 [http://www.acgov.org/board/bos\\_calendar/documents/DocsAgendaReg\\_12\\_12\\_19/PUBLIC%20PROTECTION/Regular%20Calendar/item\\_3\\_AB\\_109\\_rpt\\_12\\_12\\_19.pdf](http://www.acgov.org/board/bos_calendar/documents/DocsAgendaReg_12_12_19/PUBLIC%20PROTECTION/Regular%20Calendar/item_3_AB_109_rpt_12_12_19.pdf)

73 <https://www.cityofberkeley.info/uploadedFiles/Manager/Budget/cob-proposed-budget-fy2022.pdf>

74 <https://www.cityofberkeley.info/uploadedFiles/Manager/Budget/cob-proposed-budget-fy2022.pdf>

In Oakland, the Reimagining Public Safety Task Force recommended a \$20 million increase in funding to CBOs to be distributed through the Department of Violence Prevention. In response, the City Council allocated \$17 million to DVP and required the Department to develop a plan on how to disperse the funds to local CBOs. Berkeley could do something similar through the creation of the Department of Community Development.

### Measure W

In November of 2020 Alameda County voters passed Measure W, a sales tax measure that is anticipated to generate \$150 million per year to provide housing and services for the unhoused. The funds are to be distributed geographically based on the number and percentage of unhoused individuals in each jurisdiction. The measure will establish a half percent (0.5%) sales tax increase for 10 years to provide essential County services such as housing, mental health services, job training, and other social safety services. Funded housing programs will include rapid rehousing, ongoing rental subsidies, expanded emergency shelters, and permanent supportive housing in certain cases.

As of 2019, there were approximately 1,108 unhoused people living in Berkeley, constituting 13.8 percent of Alameda County’s unhoused population.<sup>75</sup> Berkeley should therefore expect to receive 13.8 percent of the \$150 million annually, which amounts to \$20.7 million for housing and other social services. The measure contemplates annual audits and citizen oversight, program components that Berkeley residents can leverage to ensure adequate spending and care is provided to unhoused people and people experiencing mental health crises in Berkeley in addition to ensuring safe, secure housing.



<sup>75</sup> [Berkeley+Homeless+Count+2019.pdf \(squarespace.com\)](#)

## Implement Advance Peace Program

Berkeley has a relatively low rate of gun violence, but has experienced an increase in the past year. As of December 9, 2021, Berkeley has had 48 confirmed calls regarding gunfire compared to the same time last year when 39 calls were recorded<sup>76</sup>. This represents an increase of approximately 23 percent. When compared with the numbers from 2019 (28 incidents of confirmed gun violence), the increase is further magnified resulting in a 71 percent increase. NICJR recommends the City implement the renowned Advance Peace program.

Advance Peace is a nonprofit organization that focuses on achieving tangible reductions in cyclical and retaliatory firearm-related assaults and deaths. The organization was formed in response to an analysis done by the City Council in Richmond, CA that found gun violence disproportionately affected Black men aged 18-24, with that population constituting 73 percent of homicide fatalities.<sup>77</sup> This goal is achieved through the implementation of strategic partnerships and interventions that strengthen neighborhood ties and promote community welfare. Advance Peace works to provide resources including life skills training and mentoring to individuals who are at greatest risk of being involved in gun violence.

Leveraging their relationships in the community, Advance Peace staff known as Neighborhood Change Agents (NCAs) conduct daily sweeps of their communities, an effort that provides a continuous flow of critical information that informs staff response. Advance Peace's main program is the Peacemaker Fellowship, which provides transformational opportunities to young men involved in lethal firearm offenses by placing them in a high-touch, personalized fellowship. The Fellowship provides life coaching, mentoring, connection to needed services, and cultural and educational excursions to those deemed to be the very most dangerous individuals in the city. Fellows can also receive significant financial incentives for participation and positive behavior as a gateway to developing intrinsic motivation. Since the establishment of the ONS, firearm-related homicides have declined in Richmond by more than 70 percent. For individuals enrolled in the Peacemaker Fellowship, 77 percent have not been involved in any gun violence activity.<sup>78</sup> The Peacemaker Fellowship has been replicated in the cities of Stockton and Sacramento, CA, with promising outcomes.<sup>79</sup>

Implementation of the Advance Peace program will cost the City approximately \$500,000 per year.

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<sup>76</sup> <https://www.berkeleyside.org/2021/05/22/2021-berkeley-gunfire-map>

<sup>77</sup> [https://www.evidentchange.org/sites/default/files/publication\\_pdf/ons-process-evaluation.pdf](https://www.evidentchange.org/sites/default/files/publication_pdf/ons-process-evaluation.pdf)

<sup>78</sup> <https://www.advancepeace.org/about/the-solution/>

<sup>79</sup> <https://www.advancepeace.org/about/learning-evaluation-impact/>

# CONCLUSION

NICJR is proud to present this Final Report and Implementation Plan to the Mayor, City Council, City Manager and the Reimagining Public Safety Task Force.

The research and experience of NICJR and its partners; the feedback and input from the Task Force and City staff; and the engagement with and input from the community all culminated in the innovative ideas presented in this Final Report. This report and our recommendations provide a blueprint to move toward a public safety model that is community centered. As police reform efforts move forward, the City will have greater resources and additional information on continuing the process of mental health specialists and CBOs taking leadership of responding to the needs of the communities most impacted by the inequities in the current system and provide the necessary supportive resources for those in greatest need.

Through implementing the recommendations in this report and the other parallel processes (SCU, BerkDOT, etc), the City of Berkeley is poised to transform its public safety system, improve the outcomes of Berkeley residents, and become a national model for other cities to emulate.

By safely and responsibly reducing the footprint of law enforcement in Berkeley, vastly improving the quality of policing, and significantly increasing investment into community based services, Berkeley will have truly reimagined public safety.

**NICJR would like to thank its partners:** Bright Research Group, Pastor Michael Smith, Renne Public Law Group, and Jorge Camacho of the Justice Collaboratory at Yale Law School. NICJR would also like to thank the Task Force, a group of passionate and committed volunteers who spent many hours working to make Berkeley a better city for all its residents. Lastly, NICJR thanks and appreciates all the members of the community who participated in a listening session, completed the survey, attended a community meeting, or in any way participated in this process.

## IMPLEMENTATION PLAN

### REDUCE

Recommendation	Estimated Cost	Funding Source	Timeline
Establishment of a Tiered Dispatch/CERN Pilot Program.	\$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.
Contracting with local Community-Based Organizations (CBOs).			
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 initiative.

### IMPROVE

Recommendation	Cost	Funding Source	Timeline
Berkeley Police Department should become a Highly Accountable Learning Organization (HALO).			
BPD should join the ABLE program to receive training and technical assistance and use the new Quality Assurance and Training Bureau discussed below to ensure the department adheres to the training, principles, and practices of the program.	Joining ABLE is free of cost.	N/A	Within six months of approval from City Council.
Expand the Early Intervention System to assess all Use of Force incidents, complaints, and information gleaned from the Body Worn Camera (BWC) footage reviewed by the Quality Assurance and Training Bureau.	No additional costs.	N/A	Within six months of approval from City Council.
Transfer five officers from the patrol division and two civilian staff into what is now the Personnel and Training Bureau. Rename it the Quality Assurance and Training Bureau and amend the duties of those officers to achieve the above goals.	No additional costs.	N/A	Within six months of approval from City Council.
BPD should provide semi-annual reports to the public on stops, arrests, complaints, and uses of force, including totals, by race and gender, by area of the city, and other aggregate outcomes.	Internal re-organization can achieve this goal without additional costs.	N/A	First report should be issued July 1, 2022.



Develop a Bay Area Progressive Police Academy (BAPPA).	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.
Revise BPD's Use of Force policies to limit any use of deadly force as a last resort to situations where a suspect is clearly armed with a deadly weapon and is using or 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.

**REINVEST**

<b>Recommendation</b>	<b>Cost</b>	<b>Funding Source</b>	<b>Timeline</b>
Launch a Guaranteed Income pilot program.	\$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.	Launch within six months of approval from City Council.
Launch a Community Beautification Employment Program.	\$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.
Increase Funding for Community-Based Organizations.	\$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.
Launch the Advance Peace Program	\$500,000	General fund	Launch in first quarter of FY 2023, on going for at least three years.

# APPENDICES



- A. Overview of Duties for CERN Positions**
- B. Example Annual CERN Team Budget**
- C. Tiered Dispatch/CERN Pilot Calls for Service Summaries**
- D. FIP and Related Course Training History**
- E. FY 2020 Year End Workforce Report**
- F. Community Based Organizations and Nonprofits Providing Services in Berkeley**
- G. New and Emerging Models of Community Safety and Policing Report**
- H. Berkeley Calls for Service Analysis**
- I. Alternative Responses Report**
- J. Community Engagement Report**

# APPENDIX A

## Community Intervention Specialist Position Overview

A Community Intervention Specialist (CIS) responds to non-criminal and low level 911 and other Calls for Service (CFS) in Berkeley as a part of the Community Emergency Response Network (CERN). CISs help to address, mediate, and resolve challenges, emergencies, conflicts, and other causes for CFS.

CISs will respond to a wide array of calls and situations and must engage the community in a thoughtful, patient, serious and compassionate manner.

Although the work of a CIS will evolve as the CERN develops and will always be dynamic and fluid, the following are the general duties of a CIS:

- Respond to emergency and non-emergency calls for services in Berkeley and attempt to resolve the problem, like noise complaints and neighbor disputes.
- Use mediation and de-escalation skills and tactics to ease tensions and mediate conflict
- Help those in need of support, including providing water, food, and encouragement.
- Communicate well with your team and with the CERN dispatcher
- Use compassion and empathy when engaging with the community and those in crisis
- If a situation escalates and proves dangerous and/or a deadly weapon is involved, call for an officer to respond
- Write notes and reports and perform other administrative tasks

## Necessary Qualifications

- Experience working in diverse communities
- Experience working in crisis and/or high stressful situations
- Experience with mediation
- Lived experience in the justice system and/or neighborhood groups is welcome and encouraged
- Works in a professional manner
- Is energetic and passionate about serving the community
- Proficient in writing and use of a computer
- Bachelor's degree, preferably in social work or public health field, or no less than five years of experience relevant to this position

# APPENDIX B

## Example Annual CERN Team Budget

Personnel		FTE %
ED or other Org Manager	25%	\$50,000.00
CERN Supervisor	100%	\$90,000.00
CERN Dispatcher (3)	100%	\$75,000.00
Lead CIS (3)	100%	\$75,000.00
CIS (5)	100%	\$70,000.00
<b>Subtotal</b>		\$ 360,000.00
Fringe (25%)		\$90,000.00
<b>Total Personnel</b>		<b>\$360,010.00</b>
<b>Operations</b>		
Office Rent		\$36,000.00
Supplies		\$6,000.00
Vehicles (3)		\$105,000.00
Fleet gas and maintenance		\$32,400.00
Insurance		\$10,000.00
Radios (6)		\$1,500.00
Cell Phones (10)		\$2,000.00
Cell Phone lines		\$12,000.00
Water & Snacks		\$3,000.00
Uniforms		\$1,000.00
<b>Total Operations</b>		<b>\$208,900.00</b>
<b>Subtotal</b>		\$568,910.00
In-Direct (10%)		\$56,891.00
<b>TOTAL</b>		<b>\$625,801.00</b>

# APPENDIX C

## Tiered Dispatch/ CERN Pilot Calls for Service Summaries

## Vehicle Double Parking, Blocking Driveway or Sidewalk, Inoperable or Abandoned

Calls for service (CFS) BPD receives related to vehicles blocking driveways, sidewalks, being double parked, inoperable or abandoned are call types that lend themselves to having an alternate response. Of the 3,690 CFS in the tier 1 subset of call types that were for the previously mentioned, only 56 percent were handled by BPD Parking Enforcement Division.

Any reason for parking enforcement not handling closer to 100 percent of call types falls short because the aforementioned call types are non-criminal and not likely to necessitate a sworn police response. Examples of CFS related to vehicles blocking driveways, sidewalks, being double parked, inoperable or abandoned, include an array of narratives that summarily and accurately capture the call type.

## General Disturbance and Noise Disturbance

CFS BPD receives related to general disturbances or noise disturbances are also call types that may be better served with an alternate response. CERN community responders who are better equipped to mediate conflicts or de-escalate situations through a community centered approach may serve as a better option than dispatching sworn officers. BPD would not be precluded from responding to the call types, but rather a second option if needed.

Disturbance and Noise Disturbance CFS are generally non-violent and non-criminal in nature. In some cases, an argument or heated debates are categorized as disturbances and in other cases petty theft from retail stores are categorized as disturbances. In other cases, by the time an officer arrives to the scene the responsible parties are either unable to locate or gone on arrival. In many of the Noise Disturbance call types, officers were able to make contact with the responsible parties and ask them to cease what they were doing or move along. These types of calls are prime examples of how an alternate response would work in Berkeley.

## Found and Lost Property

Found and lost property call types include calls where an individual has either found or lost money, credit cards, their wallets, and other personal property.

## Non-Injury Accident

Calls for service (CFS) BPD receives related to certain non-injury collision may be better served with an alternate response. Civilian personnel should be the primary handlers of these types of CFS. Unless there are barriers that legally preclude civilian personnel from handling certain types of property, civilian personnel or telephone reporting can serve to address these call types.

Although there may be some cases where major injury collisions occur, most collisions that occur in Berkeley are relatively minor and can be handled by civilian personnel within a traffic unit or the Berkeley Department of Transportation (BerKDOT) that is being developed. In cases where there are no injuries to be reported, civilian personnel or BerKDOT can handle these calls to take reports. Individuals may also call in to a telephone reporting unit to make a report.

## Suspicious Person, Vehicle, Circumstances

Calls for service (CFS) BPD receives related to suspicious person, vehicle, or circumstances may be better served with an alternate response. Civilian personnel should be the primary handlers of these types of CFS. CERN allows for community responders to request officer assistance if needed. In some cases, an officer is needed, but in many other cases, the suspicious person or vehicle is gone on arrival or unable to be located. Suspicious circumstances call types are usually a suspicious person or vehicle driving around or someone doing something seemingly out of the ordinary leading someone to call 911. Most of the time, the call types do not necessitate the need for a sworn response, even for welfare checks.



## 911 Call Narratives from Computer Aided Dispatch (CAD) Data

### Disturbance Call Narratives:

"2 MALES HEARD IN A 415, CLOSE TO THE CLUBHOUSE, TOO DARK TO GET ANY FURTHER, Dispatch received by unit 4A9, 1194 on 2, 4 people admonished and moved along." (Sworn Officer)

"Refusing to leave for 3 hours .. Smell of marijuana .., nature of call: refuse to leave, rp is front office manager, guest, guest, resp / guest in room 3128; wm mid 50's 507 wild hair grey north face jacket and blue jeans guest has two boxer dogs brown in color aggressive with guest, dispatch received by unit 5a16, dispatch received by unit 5a18, dispatch received by unit 5a16, subject gone on arrival unable to locate from room, no further service requested." (Sworn Officer)

### Noise Disturbance Call Narratives:

"4 or 5 people on the sidewalk talking loudly, dispatch received by unit 6a7, quiet on arrival and departure 1008 no paper." (Sworn Officer)

"Very loud music, walls are shaking, dispatch received by unit 4a7, code 4, dispatch received by unit 4a7, secured apt bldg, u/r rp, unable to gain access to complex, no answer on intercom, quite from street." (Sworn Officer)

"Nature of call: loud music, loud music coming from van ifo rp wants quieted, dispatch received by unit 2a7, music was coming from an rv. The driver was a dj and was practicing. Driver agreed to stop." (Sworn Officer)

### Found and Lost Property Call Narratives:

"rp at 1630 berkeley way, found credit card, Dispatch received by unit 7A4, The credit card was not active. I destroyed the credit card." (Sworn Officer)

"Found wallet, has dl, rp will leave the wallet on her front steps if she leaves her house, found in front of her garage, dispatch received by unit 1a16, dispatch received by unit 1a16, dispatch received by unit 1a16." (Sworn Officer)

## Non-Injury Accident Report Call Narratives:

"UCPD was flagged down, req bpd response, blk toyota highlander vs silver buick sentry, dispatch received by unit 3a6, silver buick, reg valid from: 05/02/14 to 05/02/15 yrmd:05 make:buick btm :4d vin : 1040 jackson st apt 423 city:albany c.c.:01 zip#:94706, 11-82 only. Parties exchanged info." (Sworn Officer)

"Rp driving a "bauer's" company bus, hit a parked a vehicle on the street, victim vehicle is silver volvo rp req'ing pd due to it being a company vehicle - and so the victim doesn't think he is a victim of 20002, dispatch received by unit 7a6, contacted the rp pannell who advised that he hit a parked vehicle causing minor damage. Pannell's vehicle also had minor damage. I stood by while pannell left a company print out with the victim vehicle that contained the insurance information and contact information. No further service was requested." (Sworn Officer)

## Suspicious Circumstances Call Narratives:

"On ca between delaware and francisco, 2 males poss working on a car, rp thinks looks sus, 1 of the males shined a green led light on the rp, veh is a red sportscar, poss corvette, hood was up on car, occ: 5 min ago, rp is passerby, walking dog, rp unable to give desc on subjects, dispatch received by unit 6a5, dispatch received by unit 7a2, reg valid from: 09/24/14 to 09/24/15 yrmd:76 make:chev btm: 9405 bass rd city:kelseyville c.c.:17 zip#:95451, proves ok" (Sworn Officer)

"Someone left a bag outside rp's house yesterday, rp is concerned because it has a gang mark on it, bldg is not secure, bag is outside apt #3, dispatch received by unit 5a6, black faux purse with no id and a meth pipe and two baggies of crystalized substance." (Sworn Officer)

"Ladder leaned up against the fence and a bag of potato chips in the backyard, occ: 0830 - 1830 hours, nature of call: 1021, dispatch received by unit 7a12, i contacted rp via telephone. He advised that he did not think that a crime occurred, but rather

someone may have used his backyard as an escape route during a police pursuit. Ladder granted access to the eastern neighbors yard. That neighbor advised nothing was taken. I thanked him for the information and advised that i would pass it on to my supervisors. He did not have cameras in his backyard that would assist pd tho. No further pd service requested. Nfi msc only.” (Sworn Officer)

### Suspicious Person Call Narratives:

“2 males out in the area on bikes with flashlights 10 prior both poss bma’s 20’s both tall-- 600 thin build both in dark heavy coats or parkas unknown description pants no bags seen, nature of call: poss casing, nature of call: poss casing -10 prior, reg mens style bikes no further desc last wb stuart then nb college, broadcast, rp at 2745 stuart st in #2 will be leaving in 20 mins for work, dispatch received by unit 5a8, dispatch received by unit 5a10, unable to locate.” (Sworn Officer)

“On grant between parker st and blake, male living in a camper, house is under construction, bma, 50-60 5’8 med build with dark color sweat shirt, occ 2 mins prior tor, camper dark green is parked ifo the vacant house , rp thinks subj is casing the house under construction, dispatch received by unit 4a17, dispatch received by unit 4a5, dispatch received by unit 4a11, vehicle is gone on arrival c4 doing area check, unable to locate, susper is gone on arrival, attempted to contact rp with negative results” (Sworn Officer)

“2 bm’s with ties and clip boards, unknown what they wanted., ls eb on woolsey on ft, no further desc, dispatch received by unit 7a6, dispatch received by unit 6a7, 2nd caller from woolsey, 2 bm’s, 20’s.... #1 whi shirt, a tie and clipboard. #2 red and black jacket, no further desc., gone on arrival unable to locate.” (Sworn Officer)

### Suspicious Vehicle Call Narratives:

“White van light off running and creeping around neighborhood for past 30 mins, 2 males in vehicle, wm’s or hm’s, flat bcst, vehicle still in the area, now ifo 2808 garber, gmc van, plate, now headed towards college, 2nd rp, dispatch received by unit 4a15,

dispatch received by unit s11, dispatch received by unit 3a6, dispatch received by unit s11, gone on arrival unable to locate.” (Sworn Officer)

“Ongoing issues with same vehicle driving around the elmwood area at night, rp thinks vehicle is casing, vehicle is now parked at elmwood laundry in parking lot, white gmc, washington plate, unknown if occupied, usually occupied by 2 hm’s aprox late 20’s - 30’s, dispatch received by unit 2a7, unoccupied.” (Sworn Officer)

“Blk chrysler with red rims, 4 yr old child in the car all by herself, rp is a witness just driving by, unknown plate on the chrysler, dispatch received by unit 2a3, rp now says there is an adult asleep in the car still thinks we should check it out, nature of call: 1042, dispatch received by unit 2a5, proves ok mother and daughter waiting for their father, who is a mechanic across the street, to get off work.” (Sworn Officer)

### Vehicle Double Parking Call Narratives:

“Vehicle blocking roadway, construction vehicle, near Malcolm x school, double parked, large white work truck. Vehicle moved.” (Parking Enforcement)

“Vehicle double parked / blocking reporting parties vehicle from getting out, blk Audi sedan, hazards are on, reporting party in beige Nissan alt, gone on arrival.” (Parking Enforcement)

### Vehicle Blocking Sidewalk Call Narratives:

“Blk Honda accord 8jdt371, no record, neighbor is in wheelchair has not been able to pass by, waiting for lock smith.” (Sworn Officer)

### Vehicle Blocking Driveway Call Narratives:

Vehicle: white Honda, information given to parking, vehicle is a Honda clarity, the vehicle is in compliance and is not blocking the driveway homeowner can get into and out of the driveway, i will call and advise the reporting party of this.” (Parking Enforcement)

## Abandoned Vehicle Call Narratives:

“Car has been at location for 2 1/2 weeks, vehicle: blk Dodge min van, nothing suspicious about vehicle per reporting party.” (Sworn Officer)

“Nature of call: 1 week, parked on sidewalk, windows down, back full of garbage, white ford pickup (late 80s) Husteads Towing en route.” (Sworn Officer)

## Inoperable Vehicle Call Narratives:

“Across from, need flat bed, silver ford titanium sedan (TN), whole front end is smashed, tire is pushed in backwards with rim down to the ground, SVR Notes: BERRY BROS TOW, SILV FORD TITANIUM DWIGHT WY, #821, 19-1967, berry bros tow advised eta 20-30 min.” (Sworn Officer)

“Gold Toyota camry no rear lic plate, nb adeline from stanford seen just prior, rear tire look as if it's about to fly off, rear right, unable to locate, gone on arrival.” (Sworn Officer)

# APPENDIX D

## FIP and Related Course Training History

## Professional Standards Division Personnel and Training Bureau

### Fair and Impartial Policing:

**Description:** The science of human bias indicates that even the best officers might manifest bias and therefore even the best agencies must be proactive to achieve Fair and Impartial Policing. This training presents what is known about human biases and provides guidance to promoting Fair and Impartial Policing in the areas of policy, training, supervision/accountability, leadership, recruitment/hiring, institutional practices/priorities, outreach and measurement.

Keynote Speaker is Dr. Lori Fridell, former Director of PERF and a nationally recognized expert on Racially Biased Policing. BPD Instructors certified by Dr. Fridell.

DATE	PROVIDER	HOURS	PERSONNEL TRAINED
8/17/10	Dr. Lori Fridell	12	8 and Community Members
11/5/12	Dr. Lori Fridell	12	10
11/16/13	Dr. Lori Fridell	12	4***Train-the Trainer Course***
4/22/14 to 10/31/14	BPD	8	267
11/18/14	Dr. Lori Fridell	12	11 and Community Members
4/9/16	Dr. Lori Fridell	12	17 and Community Members

### Fair and Impartial Policing Policy Training:

**Description:** The Berkeley Police Department will hold trainings on General Order B-4, Fair and Impartial Policing. The training will cover the purpose, definition, and policy related to Fair and Impartial Policing as well as the responsibility to report misconduct. Statistical dispositions and common questions related to this new policy will also be addressed. Presented by BPD Instructors certified by Dr. Fridell.

DATE	PROVIDER	HOURS	PERSONNEL TRAINED
11/23/14 to 11/25/14	BPD	1	167

### Biased Based Policing:

**Description:** California State Commission on Peace Officers Standards and Training has developed a DVD course, "Bias Based Policing: Remaining Fair and Impartial" (formerly known as racial profiling) to satisfy the Continuing Professional Training requirement. This course is mandated by POST. This course was administered by supervisors and requires group discussion on topic.

DATE	PROVIDER	HOURS	PERSONNEL TRAINED
11/1/14 to 2/27/15	BPD	2	177

## Principled Policing:

**Description:** This course provides a “how to” on teaching policy approaches that emphasize respect, listening, neutrality, and trust, while also addressing the common implicit biases that can be barriers to these approaches (implicit bias). Instructors were certified and trained by the California Department of Justice.

DATE	PROVIDER	HOURS	PERSONNEL TRAINED
9/21/16	DOJ	16	3***Train-the-Trainer Course***
5/15/17	CA POST	16	3***Train-the-Trainer Course***
12/28/17 to 1/25/18	BPD	8	64
12/17/20 & 1/14/21	BPD	4	88

## Crisis Intervention Training:

### 36 to 40-hour Crisis Intervention Course:

**Description:** Law enforcement personnel will receive information about mental illnesses, crisis and suicide intervention techniques, common psychiatric medications, crisis intervention training for adolescents, cultural competency in the community, post-traumatic stress disorder and officer resiliency, assessing the risk for violence in a mentally ill individual, Welfare & Institution Code 5150 “(mental health hold) procedures, Mobile Crisis information and community resource contacts. CIT trained officers develop an increased understanding of mental illness which enables them to effectively coordinate appropriate interventions for individuals with mental illness.

DATE	PROVIDER	HOURS	PERSONNEL TRAINED
7/28/11 to 10/26/18	Various	36-40	75 and counting

### 8-hour Crisis Intervention Course:

DATE	PROVIDER	HOURS	PERSONNEL TRAINED
1/31/13 to 5/13/13	BPD	8	106

### 2-hour Crisis Intervention Update:

DATE	PROVIDER	HOURS	PERSONNEL TRAINED
12/28/15 to 4/21/16	BPD	2	181
12/27/18	Berkeley Mental Health	2	17

## Crisis Intervention for Dispatchers:

**Description:** This course is designed to provide Public Safety Dispatchers with an overview of mental illness, tools to assess suicidal callers, and crisis intervention techniques. Mental health issues unique to the youth, veterans, and senior citizens are discussed. Excited delirium and agitated chaotic events are explained.

DATE	PROVIDER	HOURS	PERSONNEL TRAINED
5/21/14 to 8/30/17	Alameda County Behavioral Health	16	17

### Crisis Negotiations for Dispatchers:

**Description:** This course will provide the student with an understanding of hostage negotiations principles, knowledge of the various roles, responsibilities and challenges a Dispatcher may face in such a situation. Students will also learn techniques used by negotiators; field unit response to negotiations incidents; and techniques for dealing with the aftermath and stress management. It will also provide the student with the necessary information to practically apply these principles during critical incidents such as: Hostage situations Barricaded subjects Suicidal subjects when the student may be the call taker. This course also addresses “Swatting”.

DATE	PROVIDER	HOURS	PERSONNEL TRAINED
11/30/16 and 9/21/17	IXII Group	8	2

### Communication- Keeping Your Edge:

**Description:** California State Commission on Peace Officers Standards and Training has developed a web based course, “Communications-Keeping Your Edge” to satisfy the Perishable Skills Continuing Professional Training requirement. This course is available to POST regulated employees at the POST Learning Portal online and its completion is mandated every two years.

The training will include verbal and non-verbal communication techniques, including responding to rude and abusive individuals, active listening, deflection, re-direction, and other communication techniques.

DATE	PROVIDER	HOURS	PERSONNEL TRAINED
Ongoing	POST	2	All Sworn

### Tactical De-escalation:

**Description:** \*\*\*First POST approved Tactical De-escalation training\*\*\*

The student will receive instruction designed to educate law enforcement officers in the theory, methodology, and application of tactical de-escalation skills. Course instruction is intended to provide the student with an in-depth understanding of tactics used to handle unarmed non-compliant subjects, subjects armed with weapons other than firearms, and subjects who may attempt suicide by cop. The course consists of lecture, video review and hands-on/practical tactical de-escalation training for in-service officers.

DATE	PROVIDER	HOURS	PERSONNEL TRAINED
6/14/16 to 10/27/16	BPD	8	135
8/13/18 to 3/12/20	BPD/Various	8	76

## Harassment Prevention Training:

**Description:** Gov. Code 12950.1 (Amended by **SB 1343**) and the City of Berkeley prohibit harassment on the basis of sex, race, age, religion, color, national origin, ancestry, physical disability, mental disability, medical condition (associated with cancer, a history of cancer, or genetic characteristics), HIV/AIDS status, genetic information, marital status, pregnancy, sexual orientation, gender, gender identity, gender expression, military and veteran status, and any other classifications protected by state or federal law.

DATE	PROVIDER	HOURS	PERSONNEL TRAINED
Ongoing	COB/BPD	1 to 2 depending on rank.	All Personnel

## LGBT Awareness for Law Enforcement:

**Description:** This interactive course includes five modules that are designed to address the following learning outcomes:

1. The student will explain the difference between sexual orientation and gender identity and how these two aspects of identity relate to each other and to race, culture and religion.
2. The student will define terminology used to describe sexual orientation and gender identity.
3. The student will identify ways to create an inclusive workplace and to support LGBTQ+ co-workers.
4. The student will identify key moments in the LGBTQ+ civil rights movement.
5. The student will understand how hate crimes and domestic violence impact LGBTQ+ people.

DATE	PROVIDER	HOURS	PERSONNEL TRAINED
June - July 2021	Out to Protect	4	All Personnel

## Upcoming Trainings:

Personnel and Training are currently in the process of scheduling additional 8 hour Implicit Bias training for the Fall 2021



# APPENDIX E

## FY 2020 Year End Workforce Report

## ATTACHMENT 16: POLICE DEPARTMENT WORKFORCE BY OCCUPATIONAL CATEGORIES, RACE & GENDER

POLICE DEPARTMENT	TOTAL	M	F	WHITE		BLACK OR AFRICAN AMERICAN		HISPANIC OR LATINO		ASIAN		NATIVE HAWAIIAN AND OTHER PACIFIC ISLANDER		AMERICAN INDIAN AND ALASKA NATIVE		TWO OR MORE RACES		MINORITIES
				M	F	M	F	M	F	M	F	M	F	M	F	M	F	
DEPARTMENT * REPRESENTATION	<b>160</b>	<b>134</b> 83.8%	<b>26</b> 16.3%	<b>76</b> 47.5%	<b>15</b> 9.4%	<b>19</b> 11.9%	<b>4</b> 2.5%	<b>20</b> 12.5%	<b>3</b> 1.9%	<b>16</b> 10.0%	<b>2</b> 1.3%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>3</b> 1.9%	<b>2</b> 1.3%	<b>69</b> 43.1%
ALAMEDA ACS		85.7%	14.3%	47.7%	7.4%	11.7%	3.8%	9.6%	0.4%	11.8%	2.5%	2.9%	0.0%	0.3%	0.0%	1.8%	0.3%	45.0%
POLICE CHIEF REPRESENTATION	<b>1</b>	<b>1</b> 100.0%	<b>0</b> 0.0%	<b>1</b> 100.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%
ALAMEDA ACS		80.2%	18.7%	49.5%	13.2%	20.9%	0.0%	8.7%	0.0%	0.0%	6.6%	0.0%	0.0%	2.2%	0.0%	0.0%	0.0%	38.4%
CAPTAINS REPRESENTATION	<b>3</b>	<b>2</b> 66.7%	<b>1</b> 33.3%	<b>1</b> 33.3%	<b>1</b> 33.3%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>1</b> 33.3%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>1</b> 33.3%
ALAMEDA ACS		80.2%	18.7%	49.5%	13.2%	20.9%	0.0%	8.7%	0.0%	0.0%	6.6%	0.0%	0.0%	2.2%	0.0%	0.0%	0.0%	38.4%
LIEUTENANTS REPRESENTATION	<b>9</b>	<b>8</b> 88.9%	<b>1</b> 11.1%	<b>5</b> 55.6%	<b>1</b> 11.1%	<b>1</b> 11.1%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>2</b> 22.2%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>3</b> 33.3%
ALAMEDA ACS		80.2%	18.7%	49.5%	13.2%	20.9%	0.0%	8.7%	0.0%	0.0%	6.6%	0.0%	0.0%	2.2%	0.0%	0.0%	0.0%	38.4%
SERGEANTS REPRESENTATION	<b>31</b>	<b>23</b> 74.2%	<b>8</b> 25.8%	<b>16</b> 51.6%	<b>5</b> 16.1%	<b>3</b> 9.7%	<b>0</b> 0.0%	<b>2</b> 6.5%	<b>1</b> 3.2%	<b>2</b> 6.5%	<b>1</b> 3.2%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>1</b> 3.2%	<b>10</b> 32.3%
ALAMEDA ACS		80.2%	18.7%	49.5%	13.2%	20.9%	0.0%	8.7%	0.0%	0.0%	6.6%	0.0%	0.0%	2.2%	0.0%	0.0%	0.0%	38.4%
POLICE OFFICERS REPRESENTATION	<b>117</b>	<b>101</b> 86.3%	<b>16</b> 13.7%	<b>54</b> 46.2%	<b>8</b> 6.8%	<b>15</b> 12.8%	<b>4</b> 3.4%	<b>18</b> 15.4%	<b>2</b> 1.7%	<b>11</b> 9.4%	<b>1</b> 0.9%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>3</b> 2.6%	<b>1</b> 0.9%	<b>55</b> 47.0%
ALAMEDA ACS		86.4%	13.6%	47.3%	6.6%	10.4%	4.3%	9.8%	0.4%	13.3%	2.0%	3.3%	0.0%	0.0%	0.0%	2.0%	0.3%	45.8%
NON - SWORN REPRESENTATION	<b>91</b>	<b>30</b> 33.0%	<b>61</b> 67.0%	<b>10</b> 11.0%	<b>13</b> 14.3%	<b>12</b> 13.2%	<b>27</b> 29.7%	<b>3</b> 3.3%	<b>10</b> 11.0%	<b>5</b> 5.5%	<b>6</b> 6.6%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>5</b> 5.5%	<b>68</b> 75%
ALAMEDA ACS		57.9%	42.1%	19.7%	19.7%	2.0%	10.2%	11.4%	11.0%	19.7%	0.8%	0.0%	0.0%	0.8%	0.0%	2.4%	0.8%	59.1%

# APPENDIX F

## Community Based Organizations and Nonprofits Providing Services in Berkeley

## Youth after-school and recreational programs

### Youth Spirit Artworks

Youth Spirit Artworks works to empower homeless and low-income young people in Berkeley by teaching youth-specific vocational skills related to commercial arts and entrepreneurship, providing youth with an income from jobs training and sales of art and teaching budgeting and money management skills, helping youth modeling experiences of healthy family and community relationships, and promoting youth commitment to personal health and wholeness, including a commitment to nonviolence.<sup>1</sup>

Currently the City of Berkeley only funds the Youth Spirit Artworks' (YSA) Youths TAY Tiny Homes Management program, which is discussed below, but funding could be expanded to their Fine Arts program that uses art jobs and jobs training to empower and transform the lives of youth, giving young people the skills, experience, and self-confidence needed to meet their full potential, and the Community Arts programs, that centers around public artmaking for community revitalization.<sup>2</sup>

### Berkeley Youth Alternatives

Berkeley Youth Alternatives (BYA) uses a strength-based, holistic, continuum of care approach that emphasizes education, health and well-being, and economic self-sufficiency in order to help children, youth, and their families build capacity to reach their innate potential. BYA uses preventative measures by reaching youth before their problems become crises and uses intervention measures by providing support services to youth engaged in the youth justice system.

The City of Berkeley's fiscal year 2022 budget reflects an allocation of \$30,000 to the BYA After School Program<sup>3</sup> and \$30,000 to BYA's Counseling program for children.<sup>4</sup>

Other programs at the BYA that would benefit from City funding are the Environmental Training Center, a youth internship program for youth ages 16-24 that teaches basic work ethic, professionalism and skills necessary for future employment,<sup>5</sup> the youth and Family Opportunity Hub that focuses on increasing access to health and wellness services for low-income and uninsured children and their families<sup>6</sup>, Career Development Center which administers multiple employment readiness strategies for youth and young adults ages 16-24<sup>7</sup>, and lastly; Sports and Fitness which provides a structured and disciplined environment for participants to learn quality values such as teamwork, confidence building and self-discipline.<sup>8</sup>

## Violence Prevention and Restorative Justice Programs

SEEDS Community Resolution Center will expect to see a \$22,553 allocation of City funding to provide facilitation, training, and coaching in restorative justice, community building, conflict resolution, restorative inquiry, verbal de-escalation, harm repair, and positive school culture and climate development. SEEDS School Services help to foster positive relationships among and between educators and students, thereby increasing students' engagement in school, and maximizing the effectiveness of the adults who serve them. SEEDS School Services can serve to strengthen the essential links between students, their peers, their families, and their educators.<sup>9</sup>

SEEDS also offers community mediation services that offer a supportive place where people can talk through their conflict in a productive manner,<sup>10</sup> and conflict coaching to help people process and problem solve specific issues.<sup>11</sup>

1 <https://youthspiritartworks.org/>

2 <https://youthspiritartworks.org/programs/community-art-program/>

3 <https://www.cityofberkeley.info/uploadedFiles/Manager/Budget/cob-proposed-budget-fy2022.pdf>

4 <https://www.byaonline.org/programs/afterschool-center>

5 <https://www.byaonline.org/programs/health-and-environment/environmental-training-center>

6 <https://www.byaonline.org/programs/teen-center/youth-and-family-opportunity-hub>

7 <https://www.byaonline.org/programs/career-development-and-prevent-center>

8 <https://www.byaonline.org/programs/sports-and-fitness/sports-and-fitness>

9 <https://www.seedscrc.org/school-services>

10 <https://www.seedscrc.org/community-mediation>

11 <https://www.seedscrc.org/community-conflict-coaching>

## Intimate Partner Violence, Sexual Violence and Sexual Exploitation Prevention and Intervention

The City of Berkeley does not currently fund any CBOs that work explicitly with survivors of intimate partner violence, sexual violence, or sexual exploitation; however, the City does fund two women's specific shelters. The Women's Daytime Drop-In Center's<sup>12</sup> Bridget Transitional House Case Management component will receive \$118,728, the Daytime Drop-In Services will receive \$48,153, and the Homeless Case Management – Housing Retention will receive \$100,190.<sup>13</sup> Berkeley Food & Housing Project's Women's Shelter receives \$230,644 in City funding.

Organizations identified by members of the Task Force that support these population specifically, but who do not receive City funding include Motivating, Inspiring, Supporting and Serving Sexually Exploited Youth (MISSEY)<sup>14</sup>, Bay Area Women Against Rape (BAWAR)<sup>15</sup>, and the Family Violence Law Center<sup>16</sup>. The City could also be innovative and develop RFPs for CBOs that work directly to support these populations of people. It should be noted that, while a large proportion of women experience these types of issues, men and LGBTQ populations experience them as well, which should be taken into consideration in the creation of RFPs.

## Housing and Homeless Services

### ***Building Opportunities for Self-Sufficiency (BOSS)***

BOSS, which was summarized previously, currently receives \$932,975 which is the most funding of all the CBOs contracted in the City and centered on homelessness. BOSS current receives funding for their BOSS House Navigation Team that provides needs assessments, housing education, access to listings, advocacy with landlords, help filling out housing applications, connection to subsidies as available, and case management to facilitate a successful transition to housing along with critical time intervention to

<sup>12</sup> <https://www.womensdropin.org/>

<sup>13</sup> <https://www.cityofberkeley.info/uploadedFiles/Manager/Budget/cob-proposed-budget-fy2022.pdf>

<sup>14</sup> <https://misssey.org/>

<sup>15</sup> <https://bawar.org/>

<sup>16</sup> <http://fvlc.org/get-help/resources/>

ensure stabilization, Representative Payee Services to individuals who have been designated by Social Security as needing a payee to manage their income, or who have been referred for this assistance, Ursula Sherman Village Families Program and Village Singles Shelter a shelter for homeless disabled adults.

### ***Youth Spirit Artworks (YSA); Tiny House Village***

Youth Spirit Artworks' Tiny House Village<sup>17</sup> was built in early 2021 for homeless Transitional Age Youth; age 18-23 in crisis. YSA partnered with a non-profit developer to create a multi-faceted, community-led Village with 26 tiny homes that was designed by the young people it will benefit. The completed Village features on-site communal bathrooms and showers, a kitchen yurt for residents to cook weekly communal meals and securely store their own food, community gathering space for meetings, and on-site Resident Assistants who live in the community. Residents in the Village, are engaged in building a strong and connected community, have opportunities for personal and professional growth, including access to training and mentorship in the following areas: artmaking, art entrepreneurship and sales, nonprofit management, gardening, sewing, medicine, music, biking and exercise, cooking, construction, and more. Residents are supported in developing a responsibility to the community at large, achieved through connections to local faith organizations and active involvement with local social justice projects. Additionally, all residents at the Village take part in YSA's core jobs training program, where they will receive wrap-around case management services and engage in youth-led workshops around healthy interpersonal relationships, restorative practices, and more.<sup>18</sup>

YSA is expected to receive an \$117,000 allocation from the City for the case management component<sup>19</sup> of the initiative, however expanding funding to build up the community would be incredibly impactful.

### ***Rebuilding Together***

Rebuilding Together works to bring warmth, safety, and independence to Berkeley residents by

<sup>17</sup> <https://youthspiritartworks.org/programs/tiny-house-village/>

<sup>18</sup> <https://youthspiritartworks.org/programs/tiny-house-village>

<sup>19</sup> <https://www.cityofberkeley.info/uploadedFiles/Manager/Budget/cob-proposed-budget-fy2022.pdf>

revitalizing homes and neighborhood facilities.<sup>20</sup> The City is expected to allocate \$98,275, to the Our Safe at Home program, which provides safety assessments and hazard elimination for qualified applicants. By implementing safety modifications such as grab bars in the bathroom, handheld shower heads, elevated toilet seats, exterior handrails, or wheelchair ramps, the Safe at Home program helps prevent accidents or exposure that can cause injury, illness, or even death. The Safe at Home program improves quality of life for its clients by performing upgrades including painting, lead abatement, repairing/installing heating systems, replacing electrical panels, smoke alarm installation, fire extinguishers, and carbon monoxide detectors to address environmental hazards in the home.<sup>21</sup>

City funding could be expanded to the Community Facility Improvement program which provides local nonprofits and community centers with much-needed repairs and upgrades, which will contribute to an organizations' ability to effectively serve the Berkeley community. Rebuilding Together also provides emergency repairs services and energy and efficiency upgrades, reducing the number of residents living in uninhabitable conditions.<sup>22</sup>

## Food security, increased access to nutritious food

### *Healthy Black Families Inc.*

Healthy Black Families Inc, educates, engages, and advocates for the holistic growth and development of diverse Black individuals and families. They will receive funding for their Sisters Together Empowering Peers (STEP) program; a peer-led support and empowerment group that addresses health and social inequities for African American parenting women in our community, but funding could be expanded to their program; Thirsty for Change (T4C), a healthy eating and nutrition education and advocacy program that engages Black families in South and West Berkeley through a wide array of activities to improve the health of the community.<sup>23</sup>

<sup>20</sup> <https://rtebn.org/>

<sup>21</sup> <https://rtebn.org/our-work/#our-programs>

<sup>22</sup> <https://rtebn.org/our-work/#our-programs>

<sup>23</sup> <https://www.healthyblackfamiliesinc.org/t4c>

## Mental Health and Co-Occurring Conditions

### *Bonita House*

As previously explained, Bonita House provides mental health and addiction treatment, intensive residential treatment, independent living programs, housing and employment assistance, and outpatient case management. The City currently allocated \$24,480 to its case management services, which could be increased substantially to build capacity and efficacy of its services.

### *Bay Area Community Resources; School Based Behavioral Health Services (BACR)*

BARC provides school-linked mental health and prevention services for middle and high school children and their families, in high-need. BACRs prevention and early intervention approach draws from evidence-based practices and proven resiliency models utilizing experienced licensed and pre-licensed clinicians.<sup>24</sup> BACR offers restorative, culturally humble, and trauma-informed mental health services to help youth cope with challenging life circumstances and develop positive strategies to be successful and healthy in and out of school.

## Substance Use and Addiction

### *New Bridge Foundation*

The New Bridge Foundation (NBF) is a residential and outpatient addiction treatment center that provides comprehensive services and has a community outreach component to their program. It does not currently receive City funding but is a well-known and respected CBO in the community, and could benefit from expanded funding.

## Healthcare Management

### *Lifelong Medical Care (LMC)*

The City will allocate a total of \$304,398 for some treatment services such as geriatric and hypertension care, however LMC also has initiatives such East Bay Community Recovery Project, which supports the self-sufficiency and wellness of individuals and

<sup>24</sup> <https://www.bacr.org/behavioral-and-mental-health>

families by providing comprehensive and integrated services for mental health, substance use and related health conditions while addressing housing and employment.<sup>25</sup> They also have a program called Heart to Heart which fosters the idea that community connectedness and cohesion through community engagement, building relationships, and trust are critical for improving community health.

Heart 2 Heart works to prevent high blood pressure and heart disease while connecting community members to resources and services they need. The Heart 2 Heart program serves as a bridge between community members and health centers throughout the Heart 2 Heart community.<sup>26</sup> Funding can also be increased for their Case Management Tied to Permanent Housing program (\$163,644), Supporting Housing Program (\$55,164), and Street Medicine/ Trust Clinic (\$50,000).<sup>27</sup>

### **Berkeley Free Clinic**

The Berkeley Free Clinic is a health collective that provides free medication, supplies, dental and medical care, peer counseling, and community referrals. The Clinic relies solely on individual or organizational donations and government support and is one of the only clinics in California offering primary health care free of charge. The clinic maintains that health care should be available at a level and quality sufficient to meet the basic needs of everyone regardless of race, gender, age, immigration status, income level, or any other characteristic, and believes health care is a right, not a privilege. The clinic is expected to receive only \$15,858 for the Free Women and Transgender Health Care Service. Funding for this program could be significantly increased. Funding could additionally be expanded to services such as the Outreach Team which uses volunteers to hand out hot meals, hygiene supplies, and more to people in need, TB Tests, Local, Resource Navigation & Referrals, Health Insurance & Food Benefits, Peer Counseling, STI, Screenings & Treatment, UTI Testing & Treatment, Hepatitis, HIV, and TB Counseling +, Screenings, and Dental Services.<sup>28</sup>

25 <https://lifelongmedical.org/ebcrp/>

26 <https://lifelongmedical.org/heart-2-heart/>

27 <https://www.cityofberkeley.info/uploadedFiles/Manager/Budget/cob-proposed-budget-fy2022.pdf>

28 <https://www.berkeleyfreeclinic.org/servicesupdate>

## **Economic development and new city jobs**

### **Inner-City Services (ICS)**

ICS will receive just \$101,351 of City funding to provide comprehensive employment training and job placement services to thousands of Bay Area residents. ICS combines traditional content-based education with hands-on classroom training and cutting-edge computer technology. ICS's main objective is to instill workplace character values: a sense of pride and professionalism, dignity, respect, integrity, and excellence throughout our diverse student body, in order to help people thrive in society and the business world.<sup>29</sup>

### **Multicultural Institute**

Multicultural Institute (MI) helps increase access to opportunities for immigrant families to reach economic stability, and their programming uses strategies to enhance economic, educational, and skill opportunities, cultivate leadership development, provide direct services, and stimulate positive transformation of individuals, families, and communities. These programs ultimately, assist individuals in contributing and participating in the civic life and well-being of their community. MI will receive \$68,136 for their Lifeskills Program<sup>30</sup> that provides economic development, vocational skill development, learning opportunities, and immigration and health services to people living in Berkeley.<sup>31</sup> In addition to their Lifeskills program MI will receive \$33,603 in City funding for their Youth Mentoring program.<sup>32</sup>

29 <https://www.icsworks.com/about.php>

30 <https://www.cityofberkeley.info/uploadedFiles/Manager/Budget/cob-proposed-budget-fy2022.pdf>

31 <https://mionline.org/what-we-do/>

32 <https://www.cityofberkeley.info/uploadedFiles/Manager/Budget/cob-proposed-budget-fy2022.pdf>

## Parks and open spaces including activities for young people and families

### **Berkeley Community Gardening Collaborative (BCGC)**

Berkeley Community Gardening Collaborative is a diverse group of community garden members who share a commitment to organic, urban agriculture and access to healthy food for all residents of Berkeley. They protect existing gardens, facilitate the formation of new gardens, and advocate for food security initiatives in local schools and within the city. BCGC actively seeks to create a more sustainable society by engaging in urban agriculture, the preservation of open space, habitat restoration, and cultivating community. To broaden its impact and build alliances, BCGC partners with other organizations that share its goals. BCGC will receive \$11,895 in City funding, which could be expanded to strengthen their impact on communities in Berkeley.<sup>33</sup>

### **Moving South Berkeley Forward (MSBF)**

Moving South Berkeley Forward is a youth-driven environmental, social justice project focused on community health and educational equity in South Berkeley and is spearheaded by youth of color and the South Berkeley community. This project is a joint effort between the Berkeley Community Gardening Collaborative, UC Berkeley's Environmental Science, Policy & Management Department, Berkeley High School, and the community of South Berkeley. MSBF wants the community to have accessible health resources and a better future.<sup>34</sup> MSBF does not currently receive any City funding.

## Childcare

### **BANANA**

BANANAS works in partnership with early education providers in order to provide support for families in their parenting journey. BANANAs programs and services include assisting families find and pay for quality childcare, parenting workshops, playgroups, and professional development for all types of early care and education providers. Their services and

<sup>33</sup> <https://ecologycenter.org/bcgc/>

<sup>34</sup> <https://movingsouthberkeleyforward.weebly.com/>

support allow working families to thrive and be confident their children are in quality and nurturing learning environments.<sup>35</sup> BANANA Currently receives funding for childcare subsidies (\$283,110), playgroups (\$10,527), and Quality Rating and Improvement System services (\$95,000).

The City could additionally, expand funding subsidies to early childcare providers such as Nia House Learning Center in West Berkeley, and Bay Area Hispano Institute for Advancement, Inc. (BAHIA Inc.). Nia House Learning Center's mission is to bring together children from different socio-economic backgrounds to grow and work in harmony and cooperation, and to actively work toward all of Dr. Maria Montessori's concepts, especially that of peace through education.<sup>36</sup> BAHIA Inc. is a nonprofit organization that provides high quality, bilingual learning environments where children grow to become successful lifelong bilingual learners. BAHIA is the only full-time; Latino nonprofit in Berkeley providing bilingual (Spanish-English) childcare and education to children ages 2-10 years of age. BAHIA is a respected leader in the community that strives to improve the quality of life of children and their families in the community.<sup>37</sup>

### **Bay Area Hispano Institute for Advancement**

Bay Area Hispano Institute for Advancement, Inc. (BAHIA Inc.) is a nonprofit organization that provides high quality, bilingual learning environments where children grow to become successful lifelong bilingual learners. BAHIA is the only full-time; Latino nonprofit in Berkeley providing bilingual (Spanish-English) childcare and education to children ages 2-10 years of age. BAHIA is a respected leader in the community that strives to improve the quality of life of children and their families in the community.<sup>38</sup>

## LGBTQ Services and Support

### **Pacific Center for Human Growth (PCHG)**

Pacific Center for Human Growth is the oldest LGBTQIA+ center in the Bay Area, the third oldest

<sup>35</sup> <https://bananasbunch.org/about/>

<sup>36</sup> <http://www.niahouse.org/>

<sup>37</sup> <https://www.bahiainc.com/about-us>

<sup>38</sup> <https://www.bahiainc.com/about-us>



in the nation, and operates the only sliding scale mental health clinic for LGBTQIA+ and QTBIPOC people and their families in Berkeley.<sup>39</sup> PCGH helps enhance the mental health and overall well-being of LGBTQIA+ and QTBIPOC communities by providing culturally responsive therapy, peer to peer support groups, community outreach services, and facilitated workshops. The City will allocate \$23,245 to their Safer Schools Project, but funding could be expanded to their Youth Program that supports young people in feeling connected, supported, and uplifted.<sup>40</sup>

## Community Alternative Placement Hub (CAPH)

In order to complement the CERN as it relates to a response to a CFS, certain CBOs should be designated as “community alternative placement hubs” (CAPH) which can serve as an alternative to jail or mental institutions for people in need or immediate shelter or services who have not committed any crime.

BOSS, Bonita House New Bridge Foundation and Bay Area Community Services (BACS) have already been identified above in and previous section and could additionally be well positioned CBOS to build out the CERN and serve as CAPHs. BOSS, which was summarized in an above section, currently receives the most funding of all the homeless CBOs contracted in the City could be best positioned to serve as a general CAPH for people in crisis or experiencing a high need of services or intervention. Bonita House could serve as a hub that specifically handles people with mental health crises and co-occurring conditions cases, and the Newbridge Foundation could be utilized specifically for people experiencing substance abuse crises. BACS can also serve as a candidate for a CAPH for people experiencing crises related to homelessness and behavioral health needs.

Additionally, and specific for youth in need of immediate shelter and services, the **Youth Spirit Artworks**; TAY Tiny Homes could also be utilized. Lastly, the New Bridge Foundation, which does not currently receive City funding could also be utilized as a CAPH, for people with mental health challenges.

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<sup>39</sup> <https://www.pacificcenter.org/about-us>

<sup>40</sup> <https://www.pacificcenter.org/youth-programs>

# APPENDIX G

## Berkeley Calls for Service Analysis

# EXECUTIVE SUMMARY

The Berkeley City Auditor conducted an extensive report on Berkeley Police Department (BPD) calls for service (CFS or events) which was published in July of 2021. This report has been prepared to illustrate the application of NICJR's CFS classification methodology to BPD CFS data. To the extent possible, the City Auditor's analyses have not been replicated.

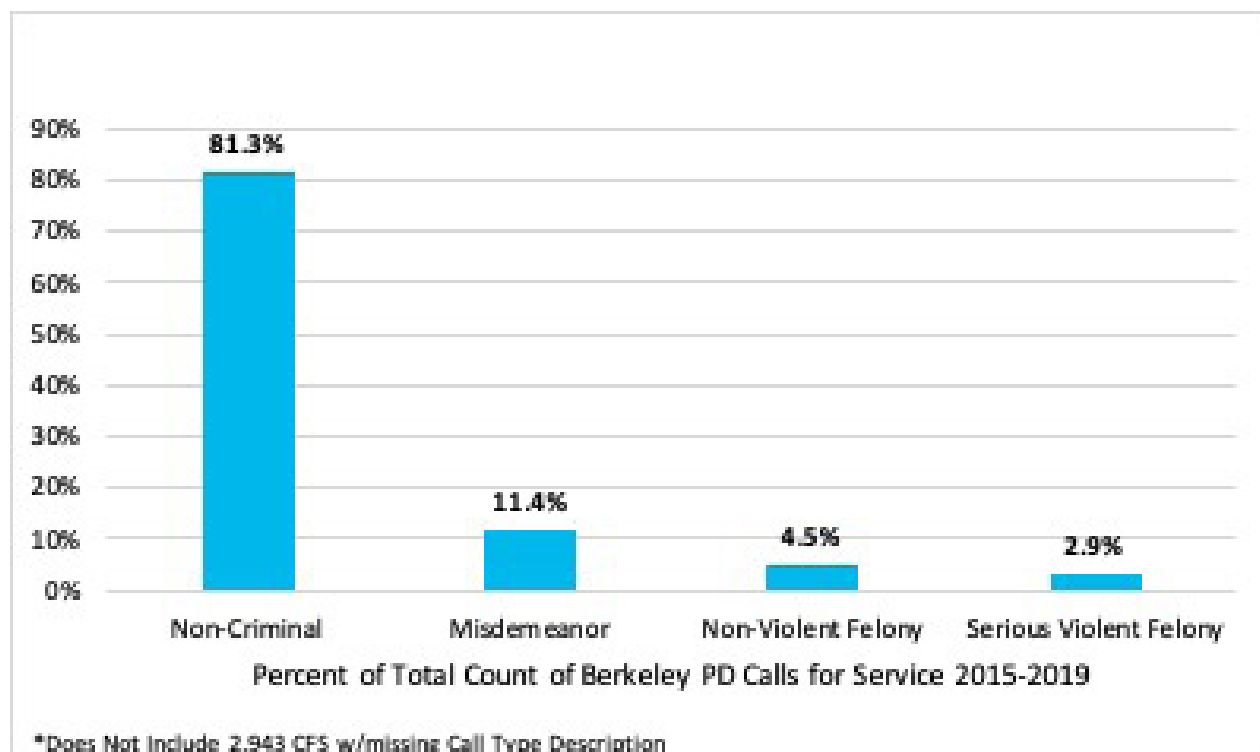
## Specific Analysis Objectives

1. Provide an analysis of BPD calls for service according to NICJR's Crime Categories
2. Map NICJR's Crime Categories to NICJR's proposed Community Emergency Response Network (CERN)
3. Identify which calls for service should be responded to by a non-BPD alternative

## Findings

A review of over 358,000 calls for service covering the period 2015-2019 found that over 81 percent of BPD calls were for Non-Criminal events. Only 7.4 percent of calls were associated with felonies of any kind.

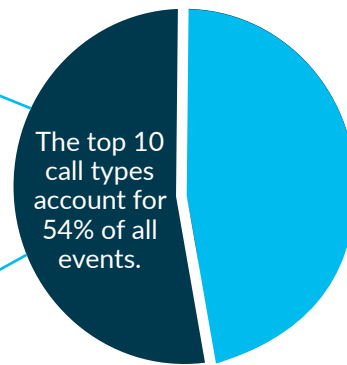
**Figure 1. Calls for Service by Crime Category**



Although the BPD utilized nearly 200 call types during the study period, just ten comprised over half of all events.

**Table 1. Top 10 Call Types, Auditor Report**

Call Types	Total Events
Traffic Stop	44,795
Disturbance	35,696
Audible Alarm	19,920
Noise Disturbance	15,773
Security Check	15,262
Welfare Check	15,030
Suspicious Circumstance	11,547
Trespassing	11,058
Theft	10,556
Wireless 911	9,899



NICJR has developed a tiered dispatch model for CFS, one that includes a robust, structured, and well-trained team of community responders – a Community Emergency Response Network. Pursuant to the NICJR methodology, CFS are initially allocated to CERN Tiers based on a standardized approach outlined below:

**Tier 1: CERN dispatched only**

- Event type: Non-Criminal

**Tier 2: CERN lead, with officers present**

- Event type: Misdemeanor with low potential of violence
- If CERN arrives on scene and determines there is low potential for violence and an arrest is unnecessary or unlikely, officers leave.

**Tier 3: Officers lead, with CERN present**

- Event type: Non-Violent Felony or an arrest is likely
- If officers arrive on scene and determine there is no need for an arrest or an arrest is unlikely and violence is unlikely, officers step back and CERN takes the lead.

**Type 4: Officers only**

- Event type: Serious Violent Felony or high likelihood of arrest

Default Tier assignments are adjusted based on factors including call type arrest rates and a qualitative assessment of whether specific call types would benefit from an alternate response; the arrest analysis typically results in CFS “moving up” a Tier, whereas the alternate response benefit analysis generally results in CFS moving down a level. In Berkeley, application of the default Tier assignment, adjusted to take into account arrest rates and alternate response benefit, results in 50 percent of BPD events being categorized as Tier 1; CERN would play a lead role in responding to over 64 percent of all CFS.

**Table 2. Recommended Tiered Dispatch Model**

Crime Category	CERN	BPD	% of Call Types	# of Call Types in Each Tier
Tier 1	Only		50%	92
Tier 2	Lead	Present	10%	19
Tier 3	Present	Lead	18%	33
Tier 4		Only	21%	39

Of the top ten call types by call initiation source, 100 percent of On-View, and 80 percent of 911 and Non-Emergency event types are assigned to CERN Tier 1.

**Table 3. Top Ten Call Types by Initiation Source and Tier**

Officer Initiated	CERN Tier	911 Emergency	CERN Tier	Non-Emergency Line	CERN Tier
Traffic	1	Disturbance	1	Disturbance	1
Security Check	1	Wireless 911	1	Audible Alarm	1
Pedestrian Stop	1	Ascertain 911	1	Noise Disturbance	1
Officer Flagged Down	1	Welfare Check	1	Welfare Check	1
Suspicious Vehicle	1	Suspicious Circumstances	1	Trespassing	1
Parking Violation	1	Battery	3	Petty Theft	2
Bike Stop	1	Suspicious Person	1	Advice	1
Abandoned Vehicle	1	Family Disturbance	1	Suspicious Circumstances	1
Found Property	1	Petty Theft	2	Parking Violation	1
Disturbance	1	Mental Illness	1	Suspicious Person	1

An average of slightly more than 2 officers responds to each CFS, spending an average of .61 hours event, as measured by arrival on-scene to call clearance.

**Table 4. Time Spent Responding to Events**

Crime Category	Total Hours Arrival to Close	Average Hours Per Event	Proportion of Total Officer Time
Non-Criminal	98,119	.38	52.3%
Misdemeanor	20,414	.53	10.9%
Non-Violent Felony	33,836	.79	18.0%
Serious Violent Felony	35,275	.74	6.9%
Total	187,644	.61	18.8%

# KEY RECOMMENDATIONS

Analysis of BPD CFS data for the period 2015-2019 indicates that over 81 percent of CFS were for Non-Criminal events, and that the non-emergency line was the single largest event generating source. Although the vast majority of CFS during the analysis period were Non-Criminal, an average of 2.4 officers was dispatched per event response. NICJR's assessment of viable alternate responses indicates that 50 percent of CFS can be responded to with no BPD involvement, with another 18 percent requiring BPD to be present, but to serve in a support, rather than a lead, role.

With these results in mind, NICJR recommends that alternative response options be developed for the 50 percent of CFS that do not require a law enforcement response. This process should involve an assessment of both relevant municipal and community-based resources that can serve as the basis for the Berkeley CERN.

# OBJECTIVES, SCOPE, AND METHODOLOGY

This report is designed to:

1. Provide an analysis of BPD CFS according to NICJR's Crime Categories
2. Map NICJR's Crime Categories to NICJR's proposed Community Emergency Response Network (CERN)
3. Identify which calls for service should be responded to by a non-BPD alternative

NICJR has developed a tailored approach to the analysis of CAD (Computer Aided Dispatch) calls for service data based on hands-on experience in multiple cities nationwide. NICJR CFS analyses use the following categorization of *final disposition* CAD events: Non-Criminal (NC), Misdemeanor (MISD), Non-Violent Felony (NV FEL), and Serious Violent Felony (SV FEL). NICJR categories are aligned with state specific penal codes and their associated penalties. If a call type is not found in the penal code, it is placed into the Non-Criminal Category.

NICJR uses this method of categorizing events because it affords the most linear correlation between the event and its associated criminal penalty. By categorizing events in this manner, NICJR can clearly identify the portion of CFS that are either non-criminal or are for low-level and non-violent offenses. Categorizing call data into a simple criminal vs. non-criminal, violent, vs. non-violent, structure also supports conversations with the community about alternatives to policing for specific call types grounded in easily understandable data.

NICJR's methodology was informed by an assessment of the limitations of other approaches to categorizing CAD data. Alternative approaches include matching CFS to Federal Bureau of Investigation (FBI) Uniform Crime Report (UCR) categories or to the newer National Incident Based Reporting System (NIBRS) categories. Both options have serious limitations. The UCR data set only includes violent and property crimes, while the more expansive NIBRS platform has not been widely adopted by policing agencies. In 2018, for example, UCR data was submitted for 16,659 (out of 18,000) law enforcement agencies across the country, while only 7,283 reported crime data via NIBRS.<sup>1</sup>

With respect to the present analysis, the BPD provided NICJR with a comprehensive CFS data set for calendar years 2015-2019, representing 358,269 unique calls for service.

Each year's worth of data included the call type descriptions for the respective reporting period. There were 183 available call type descriptions for each year. The data set included 18 non-traffic related disposition codes by which calls were cleared or disposed. There were also numerous Racial Identity and Profiling Advisory (RIPA) Board disposition codes as required by Assembly Bill 953, which requires law enforcement agencies to collect "perceived demographic and other detailed data regarding pedestrian and traffic stops."

NICJR consolidated these call types into four descriptive Crime Categories for reporting purposes: Non-Criminal, Misdemeanor, Non-Violent Felony, and Serious Violent Felony. Call types were assigned to Crime Categories based on mapping to the California Penal Code Part 1, Title 1-15. A crosswalk of BPD call types used during the 2015-2019 period, and Crime Categories, is provided in [Appendix A](#).

<sup>1</sup> [dd\\_number\\_of\\_leas\\_enrolled\\_part\\_status\\_and\\_method\\_of\\_data\\_sub\\_by\\_pop\\_group-2018\\_final.pdf \(fbi.gov\)](#)

**Table 5. NICJR Crime Categories**

Crime Category	Description
Non-Criminal (NC)	Any event not identified in the California State Penal Code
Misdemeanor (MISD)	Any event identified in the California State Penal Code as a Misdemeanor
Non-Violent Felony (NV FEL)	Any event identified in the California State Penal Code as a Non-Violent Felony
Serious Violent Felony (SV FEL)	Any event identified in the California State Penal Code as a Serious Violent Felony

Call type description variables also allowed NICJR to determine CFS initiation source – BPD Public Safety Communications Center, officer-initiated activity or On-View, CHP transfer, telephone, VOIP, or other source.

In addition, CFS response time data was used to determine how long it takes BPD officers to respond to CFS and how much time officers spend on CFS by incident type once they arrive on-scene. There were five-time variables provided in the data. To determine how long it took officers to respond to CFS, NICJR assessed the length of time between call dispatch and an officer arriving on-scene. To determine how long officers spent responding to events, NICJR analyzed the length of time between an officer arriving on-scene and clearing the call. NICJR was also able to use CAD data to determine the mean number of officers responding to each type of call by Crime Category.

**Table 6. Berkeley CAD Data Time Variable Descriptions**

CAD Data Variable Label	CAD Translation
CreateDateTime	Time call first came into the Communications Center
DispatchTime	Time call was first dispatched to an officer
EnRouteTime	Time officer is enroute to the scene of a call
OnSceneTime	Time officer arrived on-scene
ClearTime	Time officer is back in service to take new calls



# CHARACTERISTICS OF CALLS

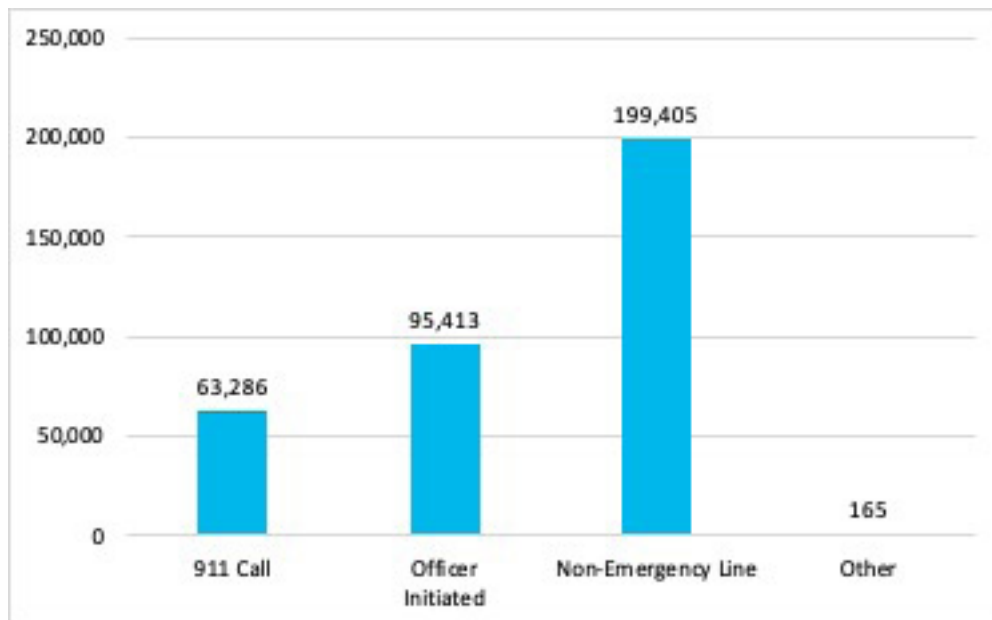
## Analysis of 358,269 events from 2015-2019

NICJR analyzed the CFS data set across a number of metrics including overall call type frequency, call initiation source, and call Crime Category. Figures and tables in this section draw from a sample of 358,269 unique calls for service covering the period 2015-2019 within the CAD files NICJR obtained from BPD. As noted in the Objectives, Scope, and Methodology, section above, BPD used 183 unique call types during the reviewed period. This section provides various analyses of this data.

## Event Initiation

Calls for service may be initiated in three primary ways: by calling 911, by calling the BPD non-emergency line, or by officer-initiated call. The other ways in which a CFS may be initiated are through a CHP transfer, telephone, VOIP, alarm, cell phone, on view, traffic stop, or other means. Figure 1 shows the proportion of events by initiation source. Over 55 percent of all calls during the 2015-2019 period were initiated through the non-emergency line.

**Figure 2. Events by Initiation Source**



\* Does not include calls with missing values

## Top Ten Events

Table 7 provides the top ten events by Initiation Source. Together, these call types comprised 68 percent of all BPD events over the study period.

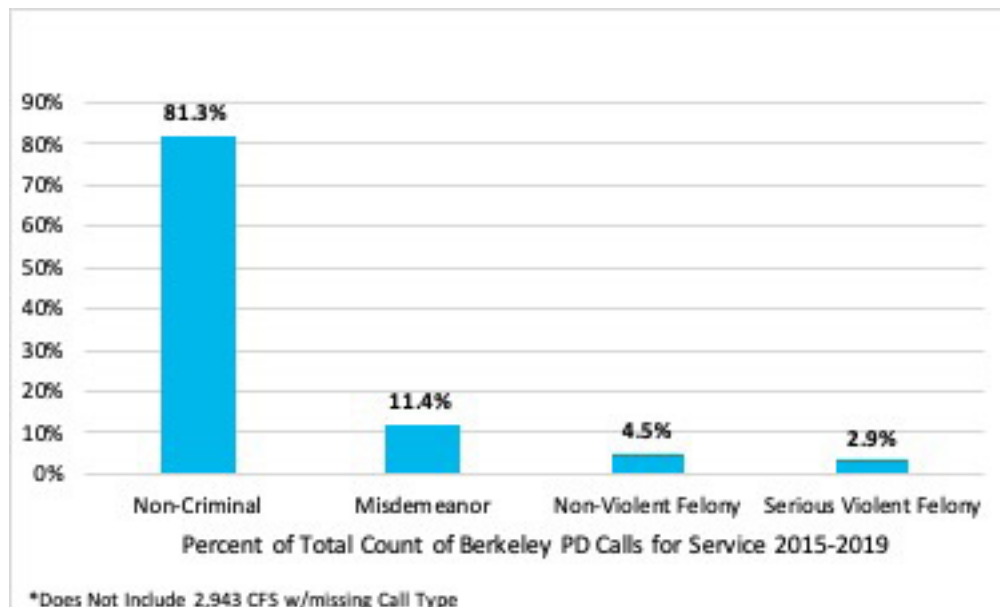
**Table 7. Top 10 Calls by Initiation Source**

Officer Initiated	911 Emergency	Non-Emergency Line
Traffic	Disturbance	Disturbance
Security Check	Wireless 911	Audible Alarm
Pedestrian Stop	Ascertain 911	Noise Disturbance
Officer Flagged Down	Welfare Check	Welfare Check
Suspicious Vehicle	Suspicious Circumstances	Trespassing
Parking Violation	Battery	Petty Theft
Bike Stop	Suspicious Person	Advice
Abandoned Vehicle	Family Disturbance	Suspicious Circumstances
Found Property	Petty Theft	Parking Violation
Disturbance	Mental Illness	Suspicious Person

### Events by Crime Category

Figure 2 shows the frequency of call types by Crime Category. BPD averaged 71,654 events per year during the analysis period. The vast majority of these CFS, 81.3 percent, are classified as Non-Criminal; as reflected in [Appendix B](#), Non-Criminal CFS consistently comprised a majority of events during the 2015 to 2019 period.

**Figure 3. Percent of Events by Crime Category**



\*Does Not Include 2,943 CFS w/missing Call Type Description

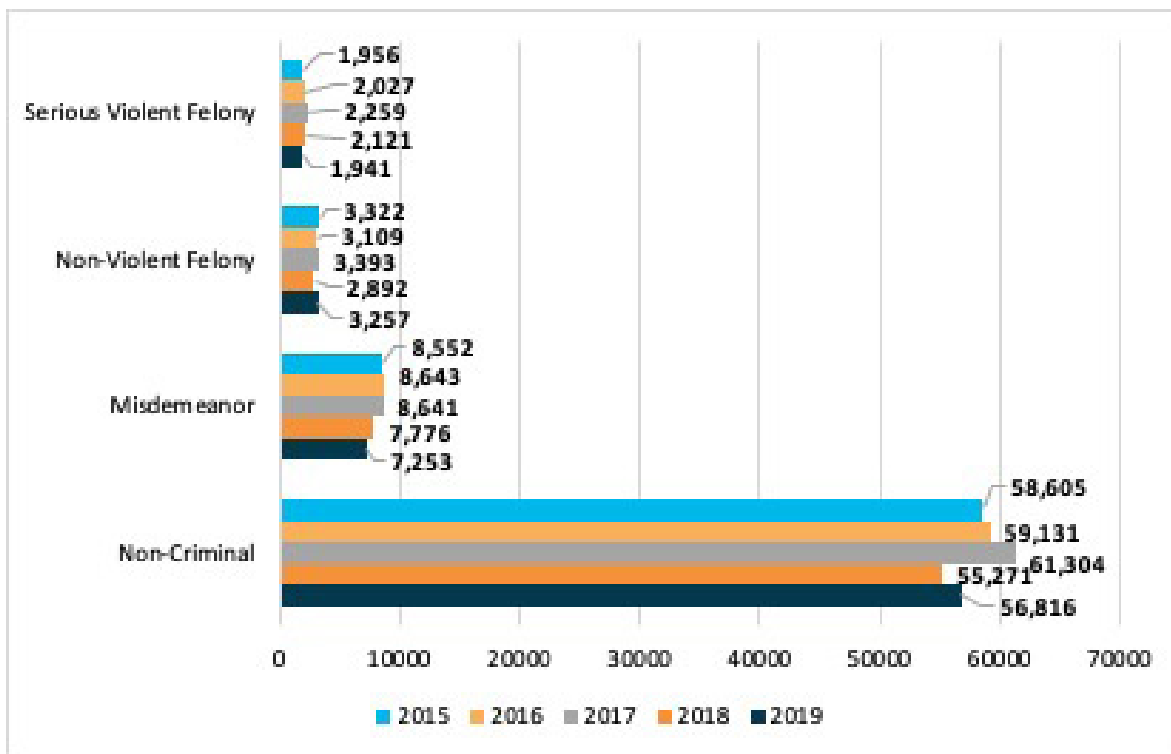
During the five-year period reviewed, at least 96.7 percent of On-View events were Non-Criminal and over 76 percent of 911 calls comprised Non-Criminal events. Interestingly, Officer-Initiated calls were the most likely to be Non-Criminal.

**Table 8. Percent of Non-Criminal Events by Initiation Source**

Event Initiation Source	Year				
	2015	2016	2017	2018	2019
911 Calls	77.5%	76.6%	76.6%	76.7%	72.7%
Non-Emergency Calls	72.3%	72.7%	72.8%	73.5%	71.1%
Officer-Initiated	98%	98.3%	98.1%	96.7%	96.9%

Figure 3 identifies the number of events by Crime Category over the review period. The total number of events across all categories declined between 2015 and 2019.

**Figure 4. Number of Events by Crime Category**



# NUMBER OF RESPONDING PERSONNEL

The number of personnel who responded to CFS varied depending on the event type. Table 9 shows the average number of personnel who responded to a CFS by Crime Category. As expected, when dealing with a call that is more serious in nature, the average number of responding officers was higher than for a less serious event. The average number of responding personnel across all event types was 2.4.

**Table 9. Responding Personnel by Crime Category**

	Non-Criminal	Misdemeanor	Non-Violent Felony	Serious Violent Felony
2015	1.8	1.7	1.9	4.2
2016	1.8	1.7	1.7	4.5
2017	1.8	1.7	1.9	4.4
2018	1.7	1.7	1.8	3.7
2019	1.7	1.7	1.9	3.8

## Time Spent Responding to Calls

Tables 10 and 11 outline the total amount of time spent on CFS by Crime Category. In determining the time spent on event response, NICJR analyzed two time periods. First, the time period beginning when an officer arrived on-scene to when the officer closed or “cleared” the call and was back “in-service” and able to take other calls. Using this methodology, NICJR was able to identify how much time officers actually spent handling a specific call. An alternate and more comprehensive view of officer response time accounts for the time from event initiation to close.

**Table 10. Time Spent Responding to Events, On-Scene to Close**

Crime Category	Total Hours Arrival to Close	Average Hours Per Event	Proportion of Total Officer Time
Non-Criminal	98,119	.38	52.3%
Misdemeanor	20,414	.53	10.9%
Non-Violent Felony	33,836	.79	18.0%
Serious Violent Felony	35,275	.74	6.9%
Grand Total	187,644	.61	100.0%

Note\* Excludes calls with missing on-scene or clear times.

**Table 11. Time Spent Responding to Events, Initiation to Close**

Crime Category	Total Hours Initiation to Close	Average Hours Per Event	Proportion of Total Officer Time
Non-Criminal	266,832	1.0	42.1%
Misdemeanor	120,063	2.9	18.9%
Non-Violent Felony	161,656	4.8	25.5%
Serious Violent Felony	85,703	2.5	13.5%
Grand Total	634,254	3.4	100.0%

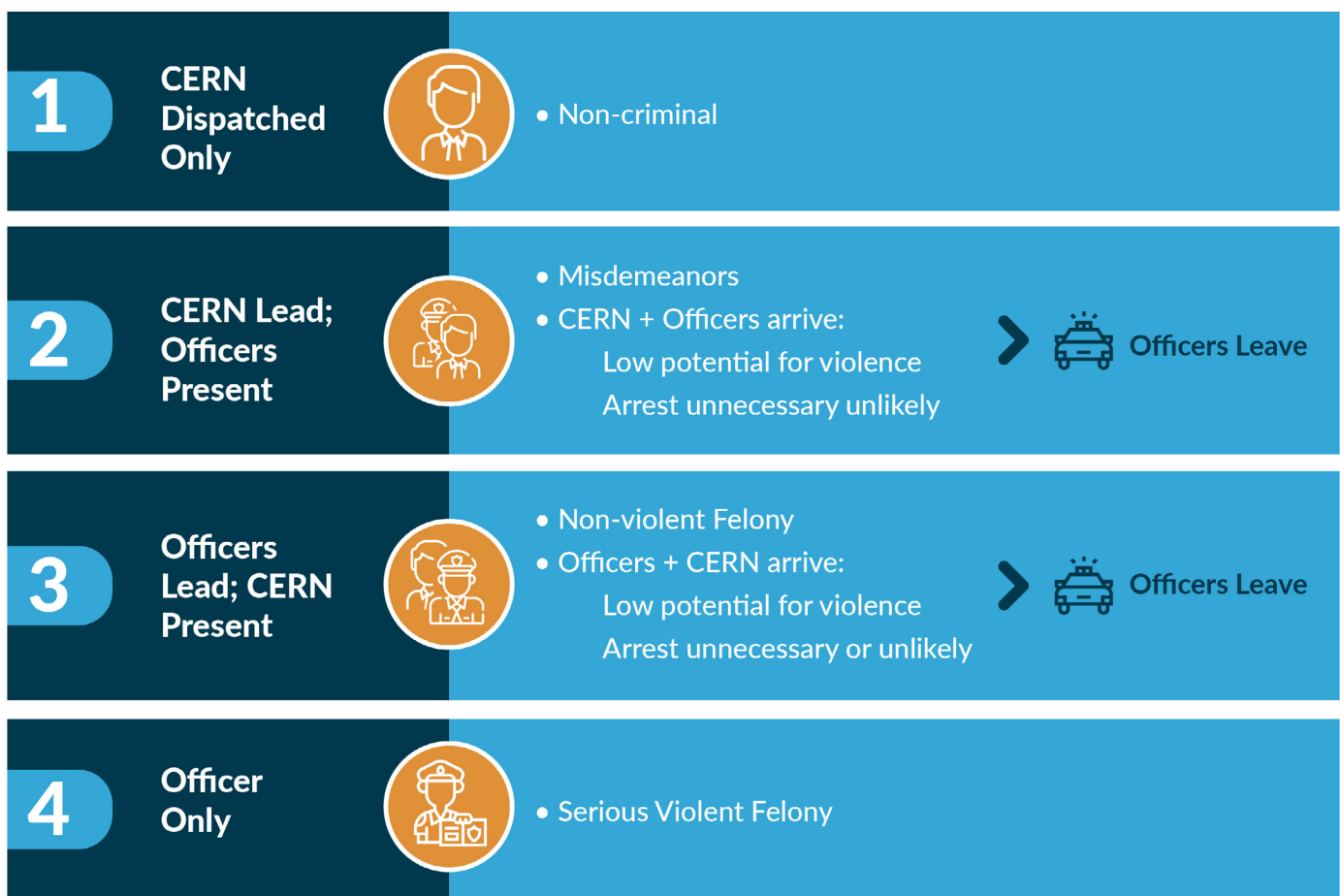
Note\* Excludes calls with missing on-scene or clear times.

# NICJR CERN CATEGORIZATION

In our work to Reimagine Public Safety and transform policing, NICJR has developed a tiered dispatch system to provide alternatives to police response to CFS, increase public safety, and improve the quality of emergency response. This model, the Community Emergency Response Network (CERN), builds upon NICJR's CFS classification structure.

Once each call type is associated with one of NICJR's four CFS Categories, an additional step is taken to do a default assignment of CFS to CERN Tiers as follows:

Figure 5. Tiered Dispatch



CERN default Tier assignments for the 2015-2019 BPD CFS analyzed are outlined below.

**Table 12. CERN Tier Default Assignment Table**

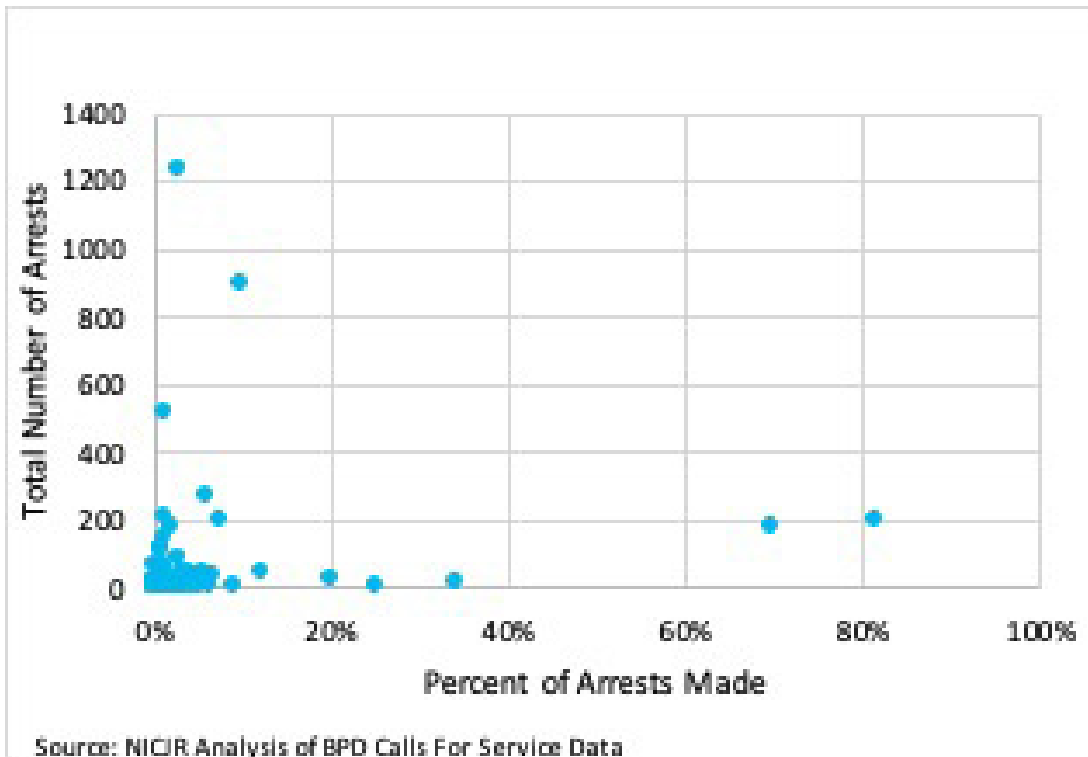
Crime Category	CERN	BPD	% of Call Types	# of Call Types in Each Tier
Tier 1	Only		50%	92
Tier 2	Lead	Present	14%	25
Tier 3	Present	Lead	9%	16
Tier 4		Only	27%	50

**Default Tier Assignment Modified Based on Arrest Data and Other Factors**

**A. Arrest Rates**

Subsequent to the default classification, NICJR examines arrest data to determine if adjustments to default Tier assignments are warranted. Most typically, this results in CFS “moving up” a Tier based on the likelihood of arrest. The arrest analysis includes the identification of the overall jurisdiction arrest rate, as well as the high-end of that rate, below which the vast majority of CFS arrest rates fall. For Berkeley, 10 percent was set as the arrest rate triggering Tier assignment review; only 6 of 91 CFS that resulted in an arrest had an arrest rate in excess of 10 percent in the years 2015 to 2019. Call types with arrest rates that significantly exceed the triggering arrest rate generally moved to higher Tiers. For example, the Non-Criminal CFS *warrant service* was moved from Tier 1 to Tier 4 based on arrest rate data.

**Figure 6. Total Arrest Rate Count Dispersion Scatterplot**



**Table 13. CFS CERN Tier Assignments After Arrest Review**

Crime Category	CERN	BPD	% of Call Types	# of Call Types in Each Tier
Tier 1	Only		50%	91
Tier 2	Lead	Present	13%	24
Tier 3	Present	Lead	9%	16
Tier 4		Only	28%	52

**B. Alternate Response Warranted**

Beyond arrest data, CERN Tier assignment is modified based on NICJR’s assessment of call types that would benefit from an alternate response. Some Serious Violent Felony call types typically move from Tier 4 to Tier 3 pursuant to this aspect of the analysis, in order to allow for a CERN response with an officer leading. For example, the call type *assault, gang related* has been downgraded from a Tier 4 to a Tier 3 in order to allow the CERN to assist officers involved. Warrants have similarly been downgraded from a Tier 4 to a Tier 3 with this rationale in mind. Conversely, some call types moved from lower to higher Tiers as a result of this aspect of the default Tier assignment modification methodology. Various events that fall under the assist call type, for example, are allocated to Tier 4 even though these CFS are Non-Criminal in nature. The rationale here is that if the BPD is being asked to assist another law enforcement agency, for example, a BPD response is required.

**Table 14. CFS CERN Tier Assignments After Alternate Response Review**

Crime Category	CERN	BPD	% of Call Types	# of Call Types in Each Tier
Tier 1	Only		50%	92
Tier 2	Lead	Present	10%	19
Tier 3	Present	Lead	18%	33
Tier 4		Only	21%	39

Based on NICJR’s analysis, and as reflected in Table 14, 50 percent of BPD CFS could be handled solely by a community-response, reflecting 76 percent of BPD calls for service.

NICJR appreciates that there may be questions about the assignment of certain call types to Tier 1. Selected Tier 1 event types have been tagged for additional explanation of Tier assignment in that vein; the explanations can be found following in [Appendix C](#).

As a final cut of the data, Table 15 depicts the top ten call types by initiation source and CERN Tier. One hundred percent of the top ten On-View event types, and 80 percent of top ten 911 and Non-Emergency event types, are assigned to CERN Tier 1.



**Table 15. Top Ten Call Types by Initiation Source and Tier**

Officer Initiated	CERN Tier	911 Emergency	CERN Tier	Non-Emergency Line	CERN Tier
Traffic	1	Disturbance	1	Disturbance	1
Security Check	1	Wireless 911	1	Audible Alarm	1
Pedestrian Stop	1	Ascertain 911	1	Noise Disturbance	1
Officer Flagged Down	1	Welfare Check	1	Welfare Check	1
Suspicious Vehicle	1	Suspicious Circumstances	1	Trespassing	1
Parking Violation	1	Battery	3	Petty Theft	2
Bike Stop	1	Suspicious Person	1	Advice	1
Abandoned Vehicle	1	Family Disturbance	1	Suspicious Circumstances	1
Found Property	1	Petty Theft	2	Parking Violation	1
Disturbance	1	Mental Illness	1	Suspicious Person	1

# RECOMMENDATIONS AND CONCLUSION

Analysis of BPD CFS data for the period 2015-2019 indicates that over 81 percent of CFS were for Non-Criminal events, and that the non-emergency line was the single largest event generating source. Although the vast majority of CFS during the analysis period were Non-Criminal, an average of 2.4 officers was dispatched for event response. NICJR's assessment of viable alternate responses indicates that 50 percent of CFS types, representing 76 percent of all calls for service, can be responded to with no BPD involvement, with another 18 percent requiring BPD to be present, but to serve in a support, rather than a lead, role.

With these results in mind, NICJR offers the following recommendations:

## Key Recommendations

1. Alternative response options should be developed for the 50 percent of CFS that do not require a law enforcement response or are appropriate for a dual response by law enforcement and a community-based/non law enforcement service provider.

## Data-Specific Recommendations

2. Develop a mechanism for clear identification of mental health related calls within the data including ones that overlap with homelessness.
3. Provide a coding element in the data that allows a researcher or analyst to identify those types of calls that result in a use of force including the type of use of force.
4. Create a publicly accessible data key for all of the variable code types in BPD data.

# APPENDIX H

## Berkeley Calls for Service Analysis

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# INTRODUCTION

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As a part of the City of Berkeley's Reimagining Public Safety process, the National Institute for Criminal Justice Reform (NICJR) was commissioned to conduct an assessment of programs and models that increase safety, properly respond to emergencies, reduce crime and violence, and improve policing. The New and Emerging Models of Community Safety and Policing report has been prepared in response to that charge. NICJR submits this report to the Reimagining Public Safety Taskforce (RPSTF) to inform the RPSTF's development of recommendations for submission to the Berkeley City Council (Council) on alternative responses and police reforms.

The report comprises a brief overview of several examples of Emerging Non-Enforcement Models of Community Response; Non-Law Enforcement Crime Reduction Strategies; Community Driven Violence Reduction Strategies; and Policing Strategies. As hundreds of cities across the country engage in reimagining public safety processes and launching new programs or altering existing models, this report could not possibly be universally comprehensive; it does however provide the RPSTF and the Council with illustrative examples of key options to consider as the City of Berkeley (City) reimagines its public safety system. The programs and strategies featured in this report were selected based on a number of factors including relationship to the core pillars of NICJR's reimagining framework: **Reduce, Improve, Reinvest**; level of institutionalization and track record; City of Berkeley staff and RPSTF request; and relevance to particular reform efforts underway or likely to be underway in Berkeley.

Note that one aspect of police reform, relating specifically to police oversight, is not directly addressed in this report. Review of these bodies was not included due to the City's new Police Accountability Board, approved overwhelmingly by the voters in November 2020. The Berkeley Police Accountability Board will be one of the most expansive and progressive of its kind in the country when launched in the summer of 2021.

NICJR's second commissioned report for the City, *Alternative Responses to Law Enforcement*, will draw from and build upon several of the new and emerging models outlined herein.

This report last updated October 2021. Due to the evolving nature of these models, information may be outdated.

# EMERGING NON-ENFORCEMENT MODELS OF COMMUNITY RESPONSE



Police departments receive a large volume of 911 calls or other Calls for Service (CFS) requesting emergency response. In the past several decades policing has evolved from officers walking beats to departments primarily responding to CFS with patrol officers in squad cars. A number of new assessments of these CFS have revealed that a majority are low-level or even non-criminal in nature, like noise complaints, abandoned cars, and petty theft. Multiple analyses have estimated that less than 2 percent of CFS are for violent incidents.<sup>1,2</sup> Retired Chicago police officer David Franco explains “We spend entire shifts dealing with noncriminal matters from disturbance and suspicious person calls...With so many low-level issues put on our shoulders, police cannot prioritize the serious crimes.”<sup>3</sup>

In addition to responding to a high volume of low-level and non-criminal 911 CFS, police have also been increasingly asked to respond to people experiencing mental health crises. Many of these encounters have resulted in uses of force by police, including deadly officer involved shootings. A number of the emerging examples of effective community driven crime reduction and emergency response models focus specifically on mental health incidents.

## Eugene Crisis Assistance Helping Out on the Streets (CAHOOTS)

Crisis Assistance Helping Out on The Streets, or CAHOOTS, is a mobile emergency intervention

service established in 1989 in Eugene, Oregon.<sup>4</sup> This program is free and readily available twenty-four hours a day for mental health and other non-violent related calls.<sup>5</sup> CAHOOTS is directed by the White Bird Clinic, a regional health center in partnership with the City of Eugene. Each CAHOOTS unit is comprised of an emergency medical technician (EMT) and a mental health service provider.<sup>6</sup>

CAHOOTS staff are required to go through 40 hours of classroom education and over 500 hours of field work that is supervised by a qualified guide. Their education consists of de-escalation methods and emergency response services. CAHOOTS personnel are able to perform wellness checks, offer mental health services and substance use resources, administer medical aid, and provide mediation assistance.<sup>7</sup>

More than 60 percent of CAHOOTS clients are experiencing homelessness and nearly 30 percent have serious mental illness. CAHOOTS had some level of involvement in nearly 21,000 public-initiated CFS in 2019, with the number of calls having steadily increased since the program’s inception. Among all adults involved with CAHOOTS, the average age was 45.5 years.

Numerous evaluations have shown consistent, robust results for the CAHOOTS program. Approximately 5-8 percent of calls are diverted from the police to CAHOOTS, comprising nearly 14,000 calls annually that CAHOOTS alone responds to annually, according

1 <https://www.vera.org/downloads/publications/understanding-police-enforcement-911-analysis.pdf#page=134>  
2 <https://www.nytimes.com/2020/06/19/upshot/unrest-police-time-violent-crime.html>  
3 <https://chicago.suntimes.com/2020/12/9/22166229/chicago-police-department-911-calls-civilian-community-responders-cpd>

4 Id.  
5 <https://www.americanprogress.org/issues/criminal-justice/reports/2019/10/02/475220/neighborhoodstat-strengthening-public-safety-community-empowerment/>  
6 <https://www.mentalhealthportland.org/wp-content/uploads/2019/05/2018CAHOOTSBROCHURE.pdf>  
7 <https://www.mentalhealthportland.org/wp-content/uploads/2019/05/2018CAHOOTSBROCHURE.pdf>

to an analysis of 2019 CFS. Of these, only 2.2 percent necessitated backup or police involvement.<sup>8</sup> The program costs approximately \$2 million annually and generates an estimated \$8.5 million in savings for the Eugene Police Department along with an additional \$2.9 million in savings for other city government agencies.<sup>9,10</sup>

Several cities have explored or are currently implementing replications of CAHOOTS. In Oakland, the city is preparing to launch the Mobile Assistance Community Responders of Oakland (MACRO) initiative.<sup>11</sup> The pilot program will be managed by the Oakland Fire Department and will be available twenty-four hours per day, seven days per week in two-person teams.<sup>12</sup> The City of Oakland has allocated \$4.5 million for the year 2022-2023 along with \$10 million in other funding. The program is projected to pilot in East Oakland neighborhoods anywhere from November 2021 to February 2022.<sup>13</sup>

## Denver Support Team Assisted Response (STAR)

Based on the CAHOOTS program in Eugene, Oregon, STAR is a community responder model created in 2020. STAR is a joint effort between many stakeholders, including the Denver Police Department (DPD), Denver's Paramedic Division, Mental Health Center of Denver, and community-based organizations. STAR provides direct, emergency response to residents of the community who are experiencing difficulties connected to mental health, poverty, homelessness, or substance use. The STAR transport vehicle operates seven days a week from 6 AM to 10 PM.<sup>14</sup> The time frame of operation was

chosen based on an analysis of CFS data.<sup>15</sup> STAR unit staff are made up of unarmed personnel, with each team including a mental health service provider and a paramedic.<sup>16</sup>

Before the implementation of STAR, calls to 911 were either transmitted to the DPD or the hospital system. The majority of calls (68 percent) routed to STAR concerned individuals that were experiencing homelessness. Around 41 percent of individuals who STAR had been involved with were referred to additional services by the STAR unit staff.<sup>17</sup>

In just half a year after the program was established, the STAR unit had addressed 748 calls. The DPD was never called to support the unit in responding to these CFS. Moreover, there were no arrests made in any of the calls evaluated during the initial six months of program operation. To expand the program, the City of Denver has approved \$1 million from the City's supplemental fund to go along with the already allocated \$1.4 million in the original 2021 budget.<sup>18</sup>

## Olympia Crisis Response Unit (CRU)

Incorporating both CAHOOTS principles and crisis intervention teams, the Crisis Response Unit (CRU) was implemented in Olympia, Washington in April 2019, as a result of a 2017 citywide safety measure that allocated an initial half million dollars for an improved crisis response model. The Olympia Police Department (OPD) contracted with a community-based organization to serve as a new option for behavioral health calls for service. The CRU team consists of six mental health professionals that operate in pairs. Along with a state certification in behavioral health, CRU staff must undergo training that includes police patrol exposure, community engagement, and education about available community support.<sup>19</sup>

8 <https://www.eugene-or.gov/DocumentCenter/View/56717/CAHOOTS-Program-Analysis>

9 <https://www.vera.org/behavioral-health-crisis-alternatives/cahoots>

10 <https://www.mentalhealthportland.org/wp-content/uploads/2019/05/2018CAHOOTSBROCHURE.pdf>

11 [https://urbanstrategies.org/wp-content/uploads/2020/06/USC-MACRO-REPORT-6\\_10\\_20.pdf](https://urbanstrategies.org/wp-content/uploads/2020/06/USC-MACRO-REPORT-6_10_20.pdf)

12 <https://abc7news.com/macro-oakland-civilian-crisis-response-team-mental-health-police-dept/10430680/>

13 <https://www.ktvu.com/news/oakland-leaders-push-to-start-urgently-needed-macro-program-create-oversight>

14 <https://denver.cbslocal.com/2021/08/31/star-program-mental-health-denver-police/>

15 [https://wp-denverite.s3.amazonaws.com/wp-content/uploads/sites/4/2021/02/STAR\\_Pilot\\_6\\_Month\\_Evaluation\\_FINAL-REPORT.pdf](https://wp-denverite.s3.amazonaws.com/wp-content/uploads/sites/4/2021/02/STAR_Pilot_6_Month_Evaluation_FINAL-REPORT.pdf)

16 <https://www.9news.com/article/news/denver-star-program-results-police/73-90e50e08-94c5-474d-8e94-926d42f8f41d>

17 Id.

18 <https://denver.cbslocal.com/2021/08/31/star-program-mental-health-denver-police/>

19 <https://www.vera.org/behavioral-health-crisis-alternatives/cru-and-familiar-faces>





CRU operates from 7 AM to 8:40 PM Monday through Thursday and 10 AM to 8:40 PM Friday through Sunday, supplying clients with supports such as mediation, housing assistance, and referrals to additional services.<sup>20</sup> Police lines of communication are utilized by CRU staff to identify situations that necessitate CRU response. The City's 911 operations hub and law enforcement personnel can also refer callers directly to CRU. Often, 911 callers request CRU assistance specifically, as the team has fostered strong community ties. Moreover, a significant portion of calls for service referred to CRU originate from community-based service providers, as opposed to the 911 system itself. When CRU staff encounter an individual the team has been called on to support multiple times, they refer the individual to Familiar Faces, a peer navigation program.<sup>21</sup>

Most individuals who were assisted by CRU were experiencing homelessness or mental health issues at the time of service. Out of the 511 calls CRU engaged with from April to June of 2020, OPD was

only needed 86 times. Establishing and maintaining trust between CRU and residents is an essential part of the initiative.<sup>22</sup> Post-implementation surveys show that many police officers became advocates of the model after seeing the program in action for six months.

### San Francisco Street Crisis Response Team (SCRT)

The City and County of San Francisco has implemented a pilot alternative response program for individuals experiencing a behavioral health crisis. The San Francisco Fire Department, in conjunction with the Department of Public Health and the Department of Emergency Management, responds to 911 calls related to these issues via Street Crisis Response Teams (SCRT). Street Crisis Response Teams include a community paramedic, behavioral clinician, and peer specialist.<sup>23</sup> Currently, there are six teams that provide an around-the-clock response.<sup>24</sup>

<sup>20</sup> [https://www.olympiawa.gov/services/police\\_department/crisis\\_response\\_\\_\\_peer\\_navigators.php](https://www.olympiawa.gov/services/police_department/crisis_response___peer_navigators.php)

<sup>21</sup> <https://www.vera.org/behavioral-health-crisis-alternatives/cru-and-familiar-faces>

<sup>22</sup> <https://www.americanprogress.org/issues/criminal-justice/reports/2020/10/28/492492/community-responder-model/>

<sup>23</sup> <https://sf.gov/street-crisis-response-team>

<sup>24</sup> <https://sf.gov/sites/default/files/2021-10/SCRT%20September%20Update%20%281%29.pdf>

SCRT collaborated with community-based organizations including RAMS, Inc. (Richmond Area Multi-Services) and HealthRIGHT360 to ensure that community providers and local residents would be able to provide feedback and input about the new program.<sup>25</sup> The proposed SCRT budget for fiscal year 2021-2022 is approximately \$13.5 million, which includes staff training and team expansion. An evaluation of the pilot program place is currently underway.<sup>26</sup>

When 911 calls come into the dispatch center that are determined to be appropriate for SCRT, SCRT is dispatched; a team responds on average in fifteen minutes. No calls for service routed to SCRT required police action or backup in the first two months of the pilot. Approximately 74 percent of individuals assisted by SCRT had their issues resolved, whether it be through transfers to additional supports or de-escalation techniques.<sup>27</sup> Initial analyses show that SCRT could respond to up to 17,000 behavioral health calls each year. Because of the small scope of the initial pilot, only 20 percent of behavioral health calls received during the first two months of implementation were able to be responded to by the SCRT.

## Austin Expanded Mobile Crisis Outreach Team (EMCOT)

In order to reduce the burden on the Austin Police Department (APD) associated with mental health calls, the City of Austin, Texas established the Expanded Mobile Crisis Outreach Team (EMCOT) in conjunction with Integral Care, the City's community-based mental health service provider. EMCOT assists individuals undergoing a behavioral or mental health crisis. Agencies such as APD or the Sheriff's Office are able to call for EMCOT services by way of the 911 dispatch hub. EMCOT provides its clients with supports in the form of therapy, life coaching, rehabilitation, and other services.<sup>28</sup>

Since its establishment in 2013, EMCOT has assisted 6,859 clients. The most recently available data is

25 <https://sf.gov/street-crisis-response-team>

26 [https://www.sfdph.org/dph/files/IWG/SCRT\\_IWG\\_Issue\\_Brief\\_FINAL.pdf](https://www.sfdph.org/dph/files/IWG/SCRT_IWG_Issue_Brief_FINAL.pdf)

27 Id.

28 <https://www.austintexas.gov/edims/document.cfm?id=302634>

from FY2017, which shows that EMCOT responded to 3,244 CFS, at a rate of approximately 9 times per day. Each client was served for an average of 21 days and provided three different types of supports. In general, post-crisis services are available for up to 3 months after initial contact.<sup>29</sup> Integral Care reported that 86 percent of calls routed to a mental health response did not require police backup.<sup>30</sup>

EMCOT is currently available from 8AM to 12AM Monday through Friday and 10AM to 8PM on Saturday and Sunday.<sup>31</sup> With the additional funding, EMCOT is now projected to provide around-the-clock availability for calls for service. Expansion of telehealth services for the program is also included in the new funding.<sup>32</sup> For all CFS involving EMCOT, 85.4 percent were handled without police officers.<sup>33</sup>

In 2020, a new dispatch system was established in Austin and a mental health paraprofessional was permanently stationed in the 911 dispatch center. Callers to 911 now have the option to request mental health services instead of police.<sup>34</sup> If the operator determines the caller would benefit from these supports, the call is handed over to a mental health professional. If a clinician is unavailable at the time, an EMCOT staff member is deployed. Currently, the clinicians are present all week for a set number of hours each day. This initiative was funded by the reallocation of \$11 million from the Austin Police Department's budget. The EMCOT budget itself was also recently increased to \$3.15 million, a 75 percent increase in funding for the program.<sup>35+</sup>

29 Id.

30 <https://www.kxan.com/news/local/austin/new-911-call-option-offers-direct-mental-health-help-that-one-attorney-says-may-have-saved-one-familys-son/>

31 <https://www.fox7austin.com/news/crisis-counselors-responding-to-more-mental-health-calls-in-austin>

32 <http://www.austintexas.gov/edims/pio/document.cfm?id=320044>

33 <https://www.austinmonitor.com/stories/2020/08/integral-care-set-to-address-most-mental-health-emergency-calls-without-involving-apd/>

34 <https://www.kvue.com/article/news/health/apd-adds-mental-health-services-to-911-answering-script/269-e7dde2e6-4a65-4d5c-a2a7-a26e57110a81>

35 <https://www.austinmonitor.com/stories/2020/08/integral-care-set-to-address-most-mental-health-emergency-calls-without-involving-apd/>

## Houston Crisis Call Diversion (CCD)

The Crisis Call Diversion (CCD) program in Houston, Texas is a joint effort between the fire department, police department, emergency center, and mental health service providers in the area. In 2017, the Houston Police Department (HPD) received 37,032 calls for service that involved behavior or mental health problems. When calls for service come in, dispatchers flag any that would necessitate CCD response-- non-emergency behavioral and mental health calls. Once flagged, these callers are connected to CCD counselors. The CCD counselor evaluates the situation and the mental health of the caller and attempts to provide assistance over the phone.<sup>36</sup>

If additional community response or police presence is needed, the dispatcher can request that as well. The call is taken off the police dispatch line when the CCD dispatcher verifies that the CCD team is on the way to the scene. CCD teams can contact the caller while traveling to the specified location in order to collect as much relevant information as possible. Upon examination of the data, each rerouted call generates savings of nearly \$4,500. The CCD costs approximately \$460,000 annually and is estimated to generate over \$860,000 in annual savings.<sup>37</sup>

## City of Albuquerque Community Safety Department (ACS)

The City of Albuquerque's recently created Community Safety Department (ACS) serves as the third branch of Albuquerque's first responder system. The ACS responds to non-violent and non-medical Calls for Service (CFS) related to mental health, substance use, and homelessness as well as non-behavioral issues such as abandoned vehicles and needle pickups.<sup>38</sup> Once a call is received through 911, it is routed to the Albuquerque Police Department (APD) Dispatch Center, who will then facilitate the deployment of ACS responders.

ACS' Field Response Unit is made up of four types of responders: Behavioral Health Responders,

Community Responders, Street Outreach and Resource Coordinators, and Mobile Crisis Team (MCT) Licensed Clinicians.

Each responder's role is as follows<sup>39</sup>:

- Community Responders: provide support to community members related to inebriation, homelessness, addiction, mental health as well as minor injuries, incapacitation, abandoned vehicles, non-injury accidents, and needle pickups
- Behavioral Health Responders: respond in pairs to requests for assistance regarding mental and behavioral health, inebriation, homelessness, addiction, chronic mental illness, etc.
- Street Outreach and Resource Coordinators: provide street outreach to individuals experiencing homelessness in encampments
- Mobile Crisis Team (MCT) Licensed Clinicians: co-respond to high acuity mental and behavioral health emergencies

In its first operational month (August 30- October 1, 2021), ACS responders addressed an average of nine calls daily, for a total of 212 CFS. 50% of those CFS were provided with either resources, direct services, or transportation. The average response time for ACS responders is slightly over 14 minutes.<sup>40</sup> Once ACS is fully scaled, as many as 3,000 calls could be diverted per month.<sup>41</sup>

## Los Angeles County Alternative Crisis Response (ACR)

The LA County Alternative Crisis Response is a collaboration between the Department of Mental Health (DMH) and the Chief Executive Office's (CEO) Alternatives to Incarceration Initiative to address gaps within LA County's current crisis response system.<sup>42</sup> Set to rollout in July of 2022, preliminary recommendations put forth to the Los Angeles County Board of Supervisors include designing and implementing a Regional Crisis Call Network,

<sup>36</sup> <https://www.americanprogress.org/issues/criminal-justice/reports/2020/10/28/492492/community-responder-model/>

<sup>37</sup> <https://www.houstoncit.org/ccd/>

<sup>38</sup> <https://www.cabq.gov/acs/our-role>

<sup>39</sup> <https://www.cabq.gov/acs/our-response>

<sup>40</sup> <https://www.cabq.gov/mayor/news/albuquerque-community-safety-responders-hit-the-streets>

<sup>41</sup> <https://www.abqjournal.com/2428380/abqs-community-safety-department-launches-patrols.html>

<sup>42</sup> <https://ceo.lacounty.gov/ati/alternative-crisis-response/>

instituting a crisis mobile response team, and increasing behavioral health bed capacity.<sup>43</sup>

In accordance with recent ACR recommendations, the Los Angeles Police Department (LAPD) expanded its Didi Hirsch Pilot, which diverts 911 behavioral health CFS to the Didi Hirsch Suicide Prevention Center. The ACR will utilize a 988 number for behavioral health emergency needs also overseen by the Didi Hirsch Suicide Prevention Center.<sup>44</sup>

## Seattle Department of Community Safety & Violence Prevention

The Seattle City Council passed Resolution 31962 in August of 2020, which lays the foundation for a civilian led Department of Community Safety & Violence Prevention. This Department, which is expected to be up and running by the fourth quarter of 2021, will assume responsibility for manning 911 call lines, replacing police operators with “civilian-controlled systems.”<sup>45</sup>

## Ithaca Department of Community Solutions and Public Safety

In February 2021, the Mayor of Ithaca, New York, proposed the creation of a new Department of Community Solutions and Public Safety that would replace the Ithaca Police Department.<sup>46</sup> This new department would include both armed officers and unarmed workers who focus on crime and neighborhood service. The department would work with a new alternative service provider that provides non-law enforcement crisis intervention and support. All current police officers would have to reapply to be employed by the new department.

The proposal is a part of the Ithaca Reimagining Public Safety Collaborative and a response to the New York State Governor’s Executive Order mandating every

police department in the state to submit a reform plan by April 1, 2021.<sup>47</sup>

The new Department of Community Solutions and Public Safety would be charged with implementing an alternative to the police response system and establishing a pilot program for non-emergency calls, implementing a culturally responsive training program that includes de-escalation techniques, and developing a comprehensive community healing plan.

Other initiatives proposed under this strategy include standardizing a data review process on traffic stops as well as consistent reviews of officers’ body camera footage. Minor grievances would be outsourced to neighborhood mediation centers. Adolescent engagement support programs would be broadened in order to reach those at high risk of violence. The new personnel of the Department would be recruited from a more varied body of applicants as well to reflect the residents of the city in which they operate.<sup>48</sup>

In order to oversee the recommendations made by the Mayor and Ithaca Reimagining Public Safety Collaborative, the City of Ithaca has arranged for the creation of an operations hub known as the Community Justice Center (CJC). The CJC will have its own full-time staff including but not limited to a project manager and a data analyst. The CJC is set to give progress updates to the Tompkins County Legislature and the City of Ithaca Mayor to ensure each recommendation is properly addressed.<sup>49</sup>

## Tiered Dispatch & Community Emergency Response Network

NICJR has developed a tiered dispatch model for CFS, one that includes a robust, structured, and well-trained team of community responders – a Community Emergency Response Network (CERN). Pursuant to the NICJR methodology, CFS are initially allocated to CERN Tiers based on a standardized approach outlined below:

43 <https://file.lacounty.gov/SDSInter/bos/supdocs/149254.pdf>

44 <https://file.lacounty.gov/SDSInter/bos/supdocs/149282.pdf>

45 <https://www.washingtonpolicy.org/publications/detail/seattle-city-council-passes-cuts-to-police-budget-and-resolution-to-establish-civilian-led-department-of-community-safety-violence-prevention>

46 <https://www.gq.com/story/ithaca-mayor-svante-myrick-police-reform>

47 <https://www.governor.ny.gov/news/governor-cuomo-announces-new-guidance-police-reform-collaborative-reinvent-and-modernize>

48 <https://drive.google.com/drive/u/0/folders/1NTZ6j6WRze75m5fTuf-wC4BgC-1ddJnO>

49 Id.



### **Tier 1: CERN dispatched only**

- › Event type: Non-Criminal



### **Tier 2: CERN lead, with officers present**

- › Event type: Misdemeanor with low potential of violence
- › If CERN arrives on scene and determines there is low potential for violence and an arrest is unnecessary or unlikely, officers leave.



### **Tier 3: Officers lead, with CERN present**

- › Event type: Non-Violent Felony or an arrest is likely
- › If officers arrive on scene and determine there is no need for an arrest or an arrest is unlikely and violence is unlikely, officers step back and CERN takes the lead.



### **Type 4: Officers only**

- › Event type: Serious Violent Felony or high likelihood of arrest

# NON-LAW ENFORCEMENT CRIME REDUCTION STRATEGIES



## New York City Mayor's Action Plan (MAP) for Neighborhood Safety

The Mayor's Action Plan for Neighborhood Safety (MAP) was launched in 2014 in fifteen New York City Housing Authority (NYCHA) properties. MAP was designed to foster productive dialogue between local residents and law enforcement agencies, address physical disorganization, and bolster pro-social community bonds. Disorganized neighborhoods are characterized by dense poverty, a lack of social mobility, and underdeveloped community connections. These factors contribute to circumstances that make a given neighborhood more vulnerable to crime and violence.<sup>50</sup> The 15 housing developments chosen for the program account for approximately 20 percent of violence in NYCHA housing.<sup>51</sup>

MAP's focal point is NeighborhoodStat, a process that allows local officials and residents to communicate directly with each other. Issues in each particular housing development are addressed in local meetings which involve multiple stakeholders, including residents, community-based organizations, law enforcement, and government officials. NeighborhoodStat allows residents to have a say in the way New York City (NYC) allocates its public safety resources. The process is facilitated by a team of 15 community members who conduct polls and interviews to determine what the residents feel are the biggest issues in their neighborhoods. NeighborhoodStat also utilizes data analyses regarding employment, physical structure, access to resources, and other metrics in developing its recommendations for key areas of focus. At

50 [http://www.children.gov.on.ca/htdocs/English/professionals/oyap/roots/volume5/chapter04\\_social\\_disorganization.aspx](http://www.children.gov.on.ca/htdocs/English/professionals/oyap/roots/volume5/chapter04_social_disorganization.aspx)

51 <https://criminaljustice.cityofnewyork.us/programs/map/>

community meetings, this data and other benchmarks for performance are presented by community-based partners, allowing for full transparency. Residents and law enforcement also put forward their concerns and ideas. Once problems are pinpointed through meaningful dialogue, residents and NYC officials come together to generate solutions, which are then implemented by the Mayor's Office and assessed over time.<sup>52</sup>

Other initiatives MAP has undertaken include providing employment and life coaching services to youth who are at most risk for violence. MAP also focuses on addressing major chronic disease determinants, including low physical activity levels and nutrient-poor diets. Programs such as NYPD Anti-Violence basketball games and pop-up healthy food stands have been established. In addition, public infrastructure has been improved through enhanced lighting, green spaces, and park improvements.<sup>53</sup>

Early evaluations of MAP show promising results for a reduction in various crimes as well as increased perception of healthier neighborhoods. Significantly, misdemeanor offenses against individuals decreased in developments where residents expressed a positive change in their neighborhood's condition.<sup>54</sup> Furthermore, shootings in MAP sites decreased by 17.1 percent in 2015 and 2016 when compared with non-MAP sites.<sup>55</sup>

52 <https://www.americanprogress.org/issues/criminal-justice/reports/2019/10/02/475220/neighborhoodstat-strengthening-public-safety-community-empowerment/>

53 <https://criminaljustice.cityofnewyork.us/programs/map/>

54 [https://johnjayrec.nyc/wp-content/uploads/2020/10/MAP\\_EvalUpdate06.pdf](https://johnjayrec.nyc/wp-content/uploads/2020/10/MAP_EvalUpdate06.pdf)

55 [https://www1.nyc.gov/assets/operations/downloads/pdf/mmr2016/mayors\\_action\\_plan\\_for\\_neighborhood\\_safety.pdf](https://www1.nyc.gov/assets/operations/downloads/pdf/mmr2016/mayors_action_plan_for_neighborhood_safety.pdf)

## Domestic Violence

Every year, an estimated 10 million people in the US experience domestic and family violence. Often a cycle of abuse is perpetuated in these situations, as experience with previous violence is a strong predictor for future abuse.<sup>56</sup> The financial expense of domestic and family violence is projected to be \$12 billion each year. In Berkeley, approximately 2,000 reports related to domestic violence are registered annually; the actual number of incidents is probably much higher.<sup>57</sup>

Domestic violence is a difficult and complex problem. Laws have been established that mandate arrests even for minor incidents; these same laws have generated a growing movement of survivors calling for non-enforcement responses. The challenges here are significant, as a lack of intervention can lead to serious injury and death, primarily of women and transgender women.

An additional complication in domestic violence work is the retraumatization of survivors that occurs in the judicial system. When survivors of domestic violence endeavor to obtain recourse through the courts, they are often blamed for the abuse and undergo a disparagement of their character. Moreover, testimony is often given in an open court setting, which requires that a survivor recount the abuse they have undergone while simultaneously appearing composed in order to credibly convey their trauma, often in the presence of their abuser.<sup>58</sup> Reliving one's trauma and facing an abuser can cause feelings of helplessness, anxiety, and PTSD to surface in the survivor. Unfortunately, retraumatization often results in a major roadblock for survivors to pursue justice in domestic violence cases.<sup>59</sup>

There is a significant overlap in addressing domestic violence incidence and anti-poverty work, as intimate partner violence is correlated with devastating monetary effects on survivors who seek to leave their abusive situations. Interventions such as economic education and employment training can both reduce

56 <https://www.ncbi.nlm.nih.gov/books/NBK499891/>

57 [https://www.cityofberkeley.info/uploadedFiles/Health\\_Human\\_Services/Level\\_3\\_-\\_General/dvfactsheet.pdf](https://www.cityofberkeley.info/uploadedFiles/Health_Human_Services/Level_3_-_General/dvfactsheet.pdf)

58 <https://www.seattletimes.com/opinion/a-justice-system-that-re-traumatizes-assault-survivors/>

59 <https://arizonalawreview.org/pdf/62-1/62arizrev81.pdf>

violence and provide critically necessary financial support.

Major domestic violence support programs implemented by the Centers for Disease Control (CDC) include STOP Sexual Violence (SV) and the Preventing Intimate Partner Violence (IPV).<sup>60</sup> According to the CDC, these strategies focus on promoting social norms that protect against violence; teaching skills to prevent SV; providing opportunities, both economic and social, to empower and support girls and women; creating protective environments; and supporting victims/survivors to reduce harms. Research indicates that IPV is most prevalent in adolescence and young adulthood and then begins to decline with age, demonstrating the critical importance of early prevention efforts.<sup>61</sup> Analyses of these financial support programs have demonstrated results including increased confidence for survivors as well as decreases in domestic assault incidences.<sup>62</sup>

Another area of focus has been to revisit the mandatory arrest policies for domestic violence calls in place in many jurisdictions.<sup>63</sup> Alternatives to this approach emphasize coordinated community response teams that maximize the role of community. An effective model integrates other providers, including faith leaders and the courts.<sup>64</sup>

## Commercial Sexual Exploitation

Sexual exploitation of minors has historically been difficult to adequately address. This is due to a plethora of factors, ranging from difficulty in identifying adolescents who experience sexual exploitation to a limited understanding of the various methods used to traffic children and the best approaches to engage the victims.<sup>65</sup> Too often, sexually exploited minors have faced arrest and incarceration instead of

60 <http://www.preventconnect.org/2019/08/addressing-poverty-to-prevent-violence/>

61 <https://www.cdc.gov/violenceprevention/pdf/ipv-technicalpackages.pdf>

62 <https://vawnet.org/material/economic-empowerment-domestic-violence-survivors>

63 <https://opdv.ny.gov/help/fss/part22.html>

64 <https://www.bwjp.org/our-work/topics/ccr-models.html>

65 <https://ojjdp.ojp.gov/mpg/literature-review/csec-sex-trafficking.pdf>

intervention and support.<sup>66</sup> More than 1,000 children are arrested for “prostitution” annually. However, anywhere from 57,000 to 63,000 individuals are estimated to be involved in commercial sexual exploitation in the United States, a disproportionate number being youth of color.<sup>67</sup>

The Vera Institute has produced a screening procedure for service providers to follow when encountering an individual who could potentially be a survivor of sexual exploitation. Consisting of a thirty-subject questionnaire, the Trafficking Victim Identification Tool (TVIT), serves to aid in trafficking victim identification. Evaluations have proven that the tool has high accuracy and validity rates.<sup>68</sup> Health care providers, social workers, legal aid personnel, and others can use the screening tool to better identify those who have experienced commercial sexual exploitation.<sup>69</sup>

Jurisdictions have also begun to halt prosecution of prostitution. In April of 2021, the District Attorney’s Office of Manhattan, New York, announced it would dismiss all open cases with a prostitution charge. Prostitution adjacent crimes such as sex trafficking and soliciting sex workers would still be charged. The cities of Baltimore, Maryland, and Philadelphia, Pennsylvania, have stopped any prosecution of sex workers as well.<sup>70</sup>

Many community-based organizations have established programs that outreach, support, and provide services to minors who have been sexually exploited. It is critical that community-based service providers have the requisite training and education to provide appropriate services and interventions to this population who have experienced abuse, trauma, and exploitation. The training should be trauma-informed, and screeners should be focused on



establishing trust with their clients.<sup>71</sup> Organizations like FAIR Girls (Washington, D.C.) and MISSEY (Oakland, CA) have initiatives that intervene directly with girls who have been exploited. At MISSEY, case workers engage at-risk youth in the Alameda County foster system and offer them support and services in the form of financial resources, life coaching, and housing.<sup>72</sup> In Washington DC, young girls that stayed at the FAIR Girls group home had a 58 percent higher likelihood of permanently withdrawing from commercial sexual exploitation when compared with those who were not provided housing.<sup>73</sup>

## Traffic Enforcement

Data from The Stanford Open Policing Project shows that Black men and women are stopped at a higher rate than white drivers and are more likely to be

66 <https://www.washingtonpost.com/posteverything/wp/2014/12/05/child-prostitutes-arent-criminals-so-why-do-we-keep-putting-them-in-jail/>

67 <https://www.vera.org/publications/out-of-the-shadows-identification-of-victims-of-human-trafficking>

68 <https://www.vera.org/downloads/publications/human-trafficking-identification-tool-summary-v2.pdf>

69 <https://www.vera.org/publications/out-of-the-shadows-identification-of-victims-of-human-trafficking>

70 <https://www.nytimes.com/2021/04/21/nyregion/manhattan-to-stop-prosecuting-prostitution.html>

71 <https://www.nytimes.com/2021/04/21/nyregion/manhattan-to-stop-prosecuting-prostitution.html>

72 <https://missey.org/foster-youth-program/>

73 <https://fairgirls.org/vida-home/>



fatally shot during the course of that traffic stop.<sup>74</sup> To significantly lessen the exposure of the general public to the police and instead address transportation violations without law enforcement involvement, a number of strategies have been employed including: reallocation of certain traffic services to non-law enforcement organizations; the implementation of automation; and decriminalization.

In the City of Berkeley, the Berkeley Police Department (BPD) performed approximately 11,000 traffic stops in 2019. Black people were stopped by BPD at a rate 4.3 times than their representative population in the City.<sup>75</sup> This disproportionate traffic enforcement highlights the need to change policies and practices regarding traffic stops.

Reducing the use of police officers in traffic enforcement is one potential solution; this approach can be greatly enabled by technology. Speeding and red-light violations are two areas that constitute a large portion of traffic enforcement. There are 19 states that allow speed cameras, and 21 states that allow red-light camera usage.<sup>76</sup> Implementing automatic speed citations along with red-light cameras could allow for a reduction of up to 20 percent of police interactions. It is important to note that although this technology is successful at reducing the need for police, it can generate other issues such as enforcement problems and privacy concerns.<sup>77</sup>

As Berkeley is considering through the Berkeley Department of Transportation (BerKDOT) initiative, transferring traffic enforcement duties to an agency of unarmed staff can limit problematic police contact with motorists. Analogous programs have been proposed in Cambridge, Massachusetts; St. Louis Park, Minnesota; and Montgomery County, Maryland.<sup>78</sup> In 2019, automation-based traffic enforcement capabilities were transferred to the

Department of Transportation in Washington, D.C.<sup>79</sup> New York's Attorney General proposed the end of the NYPD's involvement with traffic enforcement in September of 2020.<sup>80</sup>

Another potential strategy can be illustrated by a pilot program in Staten Island, New York, aimed at reducing the number of calls for service related to minor collision.<sup>81</sup> When a call comes in regarding a collision, dispatch will determine if the collision is minor or serious enough to merit police response. If a collision is deemed to be minor, all individuals involved in the crash simply complete a collision report and then exchange contact and identification information.<sup>82</sup>

Lastly, ending pre-textual stops for minor traffic infractions, as proposed by the Berkeley Mayor's Fair and Impartial Policing Workgroup and approved by the City Council in March 2021, could significantly reduce traffic stops. This issue is addressed in more detail in the Policing section of this report.

## Neighbor Disputes

Police officers are frequently the first personnel called in when there is a dispute, even a minor one, between neighbors. These events can encompass a broad array of issues, from property damage, blocking a driveway, to noise complaints. Even if police do intervene, the solution is often only temporarily, rather than resolving the root problems that caused the conflict. Police response wastes time and resources and can lead to escalation and violence. Furthermore, neighbor conflicts in low-income and communities of color have a higher likelihood of resulting in an arrest.<sup>83</sup>

74 <https://openpolicing.stanford.edu/findings/>

75 <https://sites.google.com/view/saferstreetsberkeley/home>

76 <https://www.ghsa.org/state-laws/issues/speed%20and%20red%20light%20cameras>

77 <https://www.governing.com/archive/gov-cities-hit-brakes-red-light-cameras.html>

78 <https://theappeal.org/traffic-enforcement-without-police/>

79 <https://www.washingtonpost.com/transportation/2019/10/01/bowser-does-an-end-run-around-dc-council-transfers-speed-red-light-camera-program-ddot/>

80 <https://apnews.com/article/bronx-arrests-traffic-archive-new-york-c93fa5fc03f25c2b625d36e4c75d1691>

81 <https://www.silive.com/news/2019/03/nypd-dont-call-911-for-crashes-without-injuries.html>

82 <https://abc7ny.com/traffic/nypd-rolls-out-pilot-program-wont-respond-to-every-accident/5205383/>

83 [https://mdmediation.org/wp-content/uploads/2019/10/Giving\\_Police\\_and\\_Courts\\_a\\_Break.pdf](https://mdmediation.org/wp-content/uploads/2019/10/Giving_Police_and_Courts_a_Break.pdf)

Community mediation is a strategy that has proven to reduce police calls for service and decrease the burden on police for nuisance complaints. Several cities have implemented community mediation programs to utilize non-enforcement options to resolve neighbor disputes. In areas where community mediation is prioritized, neighborhood social ties are strengthened, and communities are more harmonious. Moreover, residents who participate in community mediation use less court and police resources. In a study analyzing mediation's effect in Baltimore, Maryland, for example, researchers found that community mediation for neighbor disputes decreased calls for service to the Baltimore Police Department. For a single mediation session, the Baltimore Police Department produced cost savings between \$208 and \$1,649. Among individuals who went through a mediation, the likelihood of arrest and prosecution was lower when compared to those who did not participate.<sup>84</sup>

Neighbor disputes can also be triaged through a 311 system. Priority is given to complaints based on frequency and the potential to escalate into violence. Outsourcing responses to neighborhood organizations and associations that can operate in conjunction with police officers can be valuable in order to promote a peaceful resolution to violent disputes. These organizations can also conduct sweeps through neighborhoods in order to gain valuable information regarding any disputes.<sup>85</sup>

## Substance Use

In 2016, 25 percent of lethal law enforcement shootings in the US affected individuals undergoing behavioral health or substance use crises.<sup>86</sup> Data regarding drug-related charges demonstrates that Black and LGBTQIA+ individuals are disproportionately charged and experience lower rates of treatment.<sup>87,88</sup> In addition, calls for service

stemming from substance use place an undue strain on emergency departments as well as jails, both of which are often ill-equipped to handle substance use crises. Amid the COVID-19 pandemic, increases in drug and opioid related overdoses have been observed across California, underscoring the need for adequate substance use response.<sup>89</sup>

It is important to note that this “adequate response” must reflect the reality that successfully addressing substance use is about management, not halting usage.

The establishment of safe injection facilities (SIF) is a potential avenue for reduction of drug-related deaths. These facilities are supervised areas that allow the uptake of drugs in a safe and hygienic setting.

There are a plethora of positive impacts that stem from SIF implementation. SIF have prevented thousands of overdoses with most reporting zero overdose fatalities.<sup>90</sup> Studies have noted a significant decrease in transference of blood-borne diseases such as HIV and Hepatitis B/C at SIFs due to their clinical standards.<sup>91</sup> An increase in uptake of treatment for substance use disorder was also observed after SIF involvement. An evaluation done by the Vancouver Mental Health and Addiction Services demonstrated a significant curtailment of drug injection in public areas as well as a reduction in associated litter post-SIF implementation.<sup>92</sup> SIFs have also been shown to reduce emergency ambulatory calls for service while open.<sup>93</sup>

San Francisco recently approved a bill that would implement safe injection facilities in the City.<sup>94</sup> The Department of Public Health would oversee the establishment of two pilot SIFs. The City estimates that cost savings generated by reducing HIV and Hepatitis C caseload would be approximately \$3.5 million annually.<sup>95</sup>

89 <https://www.ama-assn.org/system/files/2020-12/issue-brief-increases-in-opioid-related-overdose.pdf>

90 <https://www.ohtn.on.ca/rapid-response-83-supervised-injection/>

91 Id.

92 <http://www.healthyalamedacounty.org/promiseppractice/index/view?pid=3840c>

93 [https://kingcounty.gov/~media/depts/community-human-services/behavioral-health-recovery/documents/herointf/Safe\\_Consumption\\_Facilities\\_Evidence\\_Models.ashx?la=en](https://kingcounty.gov/~media/depts/community-human-services/behavioral-health-recovery/documents/herointf/Safe_Consumption_Facilities_Evidence_Models.ashx?la=en)

94 <https://www.ktvu.com/news/san-francisco-supervisors-unanimously-approve-legislation-for-safe-injection-sites>

95 <https://www.glide.org/safe-injection-sites-are-coming-to-san-francisco/>

84 Id.

85 [https://popcenter.asu.edu/sites/default/files/2020-spi-spotlight\\_series-retailiatoryviolentdisputes\\_final.pdf](https://popcenter.asu.edu/sites/default/files/2020-spi-spotlight_series-retailiatoryviolentdisputes_final.pdf)

86 <https://www.washingtonpost.com/graphics/national/police-shootings-2016/>

87 <https://www.americanprogress.org/press/release/2016/02/23/131547/release-broken-criminal-justice-system-disproportionately-targets-and-harms-lgbt-people/>

88 <https://www.marylandaddictionrecovery.com/impact-of-addiction-african-american-community/>

Syringe services programs (SSPs), also known as Needle Exchange Programs (NEPs), are a harm reduction mechanism that offer individuals with hygienic and safe needles and syringes along with referrals to other services. These services can include further medical care, treatment programs, and therapy access. SSPs also provide testing for diseases, vaccinations, and naloxone dispensation. A critical component of SSPs is the communication of education regarding overdose signs and proper injection technique. They are typically overseen by local public health departments that work in conjunction with community-based organizations.<sup>96</sup>

Numerous benefits have been linked to proper SSP implementation including decreases in the rate of drug use frequency when compared with individuals who have never utilized an SSP.<sup>97</sup> Sterile equipment provided by SSPs is also associated with a reduction in bloodborne infections, sexually transmitted diseases, and other health issues. When an SSP is instituted in a community, there is no corresponding increase in drug usage or crime in the area.<sup>98</sup>

The Needle Exchange Program in Baltimore, Maryland provides clean needles to intravenous drug users in order to reduce related health issues. There are currently 16 locations across Baltimore, with plans for expansion.<sup>99</sup> An evaluation of the intervention program found that participation in the program was correlated with a 33 percent increase in the likelihood of entering treatment.<sup>100</sup>

Berkeley's Needle Exchange Emergency Distribution (NEED) is an SSP operating out of a mobile van created in 1990. Naloxone training, fentanyl testing strips, and screening for HIV/ AIDS are all offered via one of NEED's three sites.<sup>101</sup> Berkeley's NEED program is currently funded by grants from the City of Berkeley and Alameda County.<sup>102</sup>

96 <https://www.cdc.gov/ssp/syringe-services-programs-faq.html>

97 <https://pubmed.ncbi.nlm.nih.gov/11027894/>

98 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1446444/>

99 <https://health.baltimorecity.gov/hiv-std-services/community-risk-reduction>

100 <https://pubmed.ncbi.nlm.nih.gov/16364566/>

101 <https://www.berkeleyneed.org/sp/index.php>

102 <https://pha.berkeley.edu/2019/12/01/the-needle-exchange-program-crisis/>

Street outreach programs that connect intravenous drug users and individuals suffering from substance use disorder to services are also beneficial.

The City of San Francisco is launching a sobering site for individuals using methamphetamines. In non-emergent cases, clients will be transported to the sobering site and offered medication such as antipsychotics or sedatives. This site will reduce the burden on emergency departments and free up psychiatric services in hospitals.<sup>103</sup> HealthRIGHT 360, a community-based organization, will oversee the sobering site after it is opened.<sup>104</sup> In order to recruit clients to the sobering center, the site will collaborate with San Francisco's Street Crisis Response Team (SCRT), referenced in detail in the Emerging Non-Enforcement Models of Community Response section of this report.

The Arlington Opiate Outreach Initiative was created in 2015 in Arlington, Massachusetts. The partnership brings together social workers, community-based organizations, health workers, and public health clinicians housed in the Arlington Police Department in order to foster relationships with residents of the community and then connect them to treatment and supports. Individuals in the community are identified for possible treatment after frequent police encounters, prior history of drug usage, or previous hospitalization related to overdoses.<sup>105</sup> Public health clinicians will then attempt to engage the identified community member through home visits, contact with family/ friends, and provision of naloxone kits.

Conversations for Change, a program based in Dayton, Ohio, is marked by its emphasis on meetings that serve to engage the community and offer residents education regarding potential treatment choices and services. The program is a partnership between the Dayton Police Department and East End Community Services, a non-profit, community-based organization. Individuals are recruited through an array of avenues, from parole officers to community-based organizations that are involved

103 [https://www.sfdph.org/dph/files/MethTaskForce/Meth%20Task%20Force%20Final%20Report\\_FULL.pdf](https://www.sfdph.org/dph/files/MethTaskForce/Meth%20Task%20Force%20Final%20Report_FULL.pdf)

104 <https://www.sfexaminer.com/news-columnists/new-search-launched-for-meth-sobering-center-site/>

105 <https://icjia.illinois.gov/researchhub/articles/rethinking-law-enforcement-s-role-on-drugs-community-drug-intervention-and-diversion-efforts#fnref52#fn44>

with substance use disorders. Monetary benefits in the form of grocery store gift cards are used to incentivize individuals to attend meetings. Meetings first involve a direct, one-on-one conversation with a motivational mediator from the Dayton Mediation Center about a client's current status and goals. After this initial conversation, presentations from health officials and residents with similar lived experiences are given. Providers finally offer naloxone training to the clients at the meetings.<sup>106</sup> The Conversations for Change program also includes an SSP.<sup>107</sup>

A more direct approach to curbing the impact of substance use disorders on the demand for policing is decriminalization.

**Oregon** became the first state in the United States to decriminalize the possession of all drugs effective February 2021. Possessing heroin, cocaine, methamphetamine and other drugs for personal use is no longer a criminal offense in Oregon.<sup>108</sup>

Those drugs are still against the law, as is selling them. But possession is now a civil – not criminal – violation that may result in a fine or court-ordered therapy, not jail.

### There are three main arguments for decriminalization:

## 1 Criminalization has failed

The reason for punishing drug users is to deter drug use. But decades of research have found the deterrent effect of strict criminal punishment to be small, if it exists at all. This is especially true among young people.

Because criminalizing drugs does not really prevent drug use, **decriminalizing has not been found to increase it**. Portugal, **which decriminalized the personal possession of all drugs in 2001** in response to high illicit drug use, has much lower rates of drug use than the European average. Use of cocaine among young adults age 15 to 34, for example, is 0.3 percent in Portugal, compared to 2.1 percent across the EU.

## 2 Decriminalization allows reinvestment in treatment

Arresting, prosecuting and imprisoning people for drug-related crimes is expensive.

The Harvard economist Jeffrey Miron estimates that all government drug prohibition-related expenditures were \$47.8 billion in 2016. Money spent arresting, prosecuting and incarcerating individuals for drug-related offenses can be more effectively, from both outcomes and cost perspectives, reinvested in treatment services.

## 3 The drug war disproportionately impacts people of color

Another aim of decriminalization is to mitigate the significant **racial and ethnic disparities associated with drug enforcement**.

Illegal drug use is roughly comparable across races in the U.S. But people of color are significantly more likely to be **searched, arrested and imprisoned for a drug-related offense**.

106 Id.

107 <https://icjia.illinois.gov/researchhub/articles/rethinking-law-enforcement-s-role-on-drugs-community-drug-intervention-and-diversion-efforts#fnref52#fn46>

108 Oregon discussion draws heavily from: <https://www.usnews.com/news/best-states/articles/2020-12-10/oregon-just-decriminalized-all-drugs-heres-why-voters-passed-this-groundbreaking-reform>

# COMMUNITY DRIVEN VIOLENCE REDUCTION STRATEGIES



Crime is often concentrated in low-income neighborhoods, with Black and Latinx individuals disproportionately experiencing higher rates of violence. These 'hot spots' of violent crime experience a complex array of challenges, ranging from high rates of poverty and incarceration to poor quality education and a lack of trust in government institutions. Unfortunately, the effects of exposure to violence are widespread, affecting the health and development of not only those directly involved but also that of their families and communities. Neighborhoods with these characteristics necessitate immediate intervention to disrupt the cycle of interpersonal violence and its devastating consequences.<sup>109</sup>

There has however been consistent success in a small number of effective strategies summarized briefly below and described more comprehensively in a 2021 NICJR publication, *Four Proven Violence Reduction Strategies*. When implemented with fidelity, these interventions have been successful at reducing violence, with many initiatives showing improvements in the first six to twelve months of implementation.

The four highlighted strategies, Gun Violence Reduction Strategy, Hospital-Based Violence Intervention, Office of Neighborhood Safety/Advance Peace, and Street Outreach – all incorporate similar best practices:

- Identifying and focusing on individuals, groups, and communities at the highest risk of being involved in violence;
- Employing Credible Messengers/community outreach workers to engage those individuals/groups in a positive and trusting manner; and

- Providing ongoing services, supports, and opportunities to high-risk individuals.

These core elements are essential to the success of any violence intervention strategy.

## Gun Violence Reduction Strategy

Gun Violence Reduction Strategy (GVRs) is known by many other names: Ceasefire, Focused Deterrence, and Group Violence Intervention. GVRs is a comprehensive strategy that utilizes a data-driven process to identify the individuals and groups at the highest risk of committing or being involved in gun violence and deploying effective interventions with these individuals. Initially developed in Boston, where it was referred to as the “Boston Miracle”, GVRs has evolved as it has been implemented in cities including **Oakland** and Stockton, California, to include more in-depth and intensive services and supports.<sup>110</sup>

## Identification of Program Participants

GVRs employs a data-driven process to identify the individual and groups who are at the very highest risk of being involved in a shooting. This involves an initial Gun Violence Problem Analysis, which provides a thorough examination of the shootings and homicides in a given city over the past two to three years in order to produce information about victim and suspect demographics, group conflicts in the area, prior history of violence, and general trends.

<sup>109</sup> <https://www.huduser.gov/portal/periodicals/em/summer16/highlight2.html>

<sup>110</sup> <https://www.theguardian.com/cities/2018/dec/06/bostons-miracle-how-free-nappies-and-a-little-mentoring-are-curbing>



## Engagement: Direct and Respectful Communication

Once high-risk individuals and groups are identified, the GVRS strategy requires immediate engagement. This engagement involves direct and respectful communication to inform identified individuals of their risk and offering them services. There are two primary formats for these discussions: Group meetings, referred to as “Call-Ins” and individual meetings, sometimes referred to as “Customized Notifications”. At Call-Ins, the recently identified very high-risk individuals are invited to attend a meeting with community leaders, law enforcement officials, formerly incarcerated individuals, survivors of violence, and service providers. Custom Notifications convey similar messages about the risk of violence and the availability of services. However, Custom Notifications are individual meetings where a high-ranking police officer and a community leader directly make contact with an individual at their home or community.

## Provision of Services

Subsequent to a Call-In or a Custom Notification, individuals identified as being at very high risk of gun violence are directly connected to available services, supports, and opportunities. The first and primary service is a positive and trusting relationship with a Life Coach or Violence Intervention worker, someone with similar lived experiences as the people they are serving. These individuals are often known as Credible Messengers. The Life Coach or Intervention Worker is an intensive and personal relationship – which is the most important aspect of the services. Unlike service brokering based case management, contact between the Life Coach and the client must be frequent, flexible, consistent, and on-going for a long period of time.

In Oakland’s GVRS, clients are also eligible to receive monthly, modest financial incentive stipends for achieving certain milestones.

## Focused Enforcement

One of the overt goals of GVRs is to reduce the footprint of police by focusing enforcement on serious and violent crime. For those individuals and groups who do not respond to the GVRs message and continue to engage in violence, this means that there is follow-up supervision and focused enforcement by police, probation, parole, and prosecutors; enforcement action is not taken simply for failure to participate in GVRs programming.

## Hospital-Based Violence Intervention Programs (HVIPs)

Hospital-Based Violence Intervention Programs (HVIP), view violence through a public health-centered lens. Analogous to the spread of an illness, violence has been shown to proliferate with increased proximity and exposure to others.<sup>111</sup> That is, contact with violence itself increases the probability that those exposed will be directly involved in violence.<sup>112</sup>

## Identification of Program Participants

Under the HVIP model, the physical location of a trauma center or emergency room is seen as valuable in the fight against violence. One of the major risk factors for future violence is a history of previous violence. With this in mind, the HVIP model places the responsibility for identifying clients with hospital workers who pinpoint patients that are at highest likelihood for future victimization.

## Engagement Strategy

HVIPs make use of the distinct cross-section of time—known as a “teachable moment”—in which after an injury an individual is open to making changes in their behavior and circumstances. During this time period, specialized hospital staff and community-based partners come together in support of the patient in order to diminish the chance of retaliation and further violence. HVIPs are especially important right now in the fight against violence, as injury recidivism

rates have been shown to be as high as 60 percent in certain areas.<sup>113</sup>

## Provision of Services

Once this initial bond is created, Intervention Specialists construct a comprehensive plan with their clients to spur on meaningful change. These plans typically include non-violent crisis management methods, counseling for both the client and their family, information on risks and outcomes associated with violence, as well as access to community services including employment assistance, mentoring, education, and court assistance. Consultation with family and health providers is necessary to develop a plan that is feasible and trauma-informed.

## Office of Neighborhood Safety/ Advance Peace

In 2007, the City of Richmond, CA launched the Office of Neighborhood Safety (ONS), amid escalating homicide rates and increasing numbers of firearm cases. Prior to the establishment of the ONS, the Richmond City Council analyzed violence in Richmond and found that gun violence disproportionately affected Black men aged 18-24, with that population constituting 73 percent of homicide fatalities.<sup>114</sup> This finding served as the basis for the creation of the Office of Neighborhood Safety.

## Identification of Program Participants

The ONS employs a data-driven approach in identification of individuals at highest risk. Leveraging their relationships in the community, ONS Neighborhood Change Agents (NCA) conduct daily sweeps of their communities, an effort that provides a continuous flow of critical information that informs staff response. NCAs are able to gather information regarding those individuals that are most prone to violence, current conflicts or family issues that may result in violence, and other information that is used to directly inform subsequent intervention activity.

111 <https://www.cdc.gov/injury/wisqars/fatal.html>

112 <https://www.ncbi.nlm.nih.gov/books/NBK207245/>

113 [https://journals.lww.com/jtrauma/Abstract/2020/08000/Recidivism\\_rates\\_following\\_firearm\\_injury\\_as.17.aspx](https://journals.lww.com/jtrauma/Abstract/2020/08000/Recidivism_rates_following_firearm_injury_as.17.aspx)

114 [https://www.evidentchange.org/sites/default/files/publication\\_pdf/ons-process-evaluation.pdf](https://www.evidentchange.org/sites/default/files/publication_pdf/ons-process-evaluation.pdf)

In addition, ONS obtains data from the Richmond Police Department (RPD) to support identification of those individuals at highest risk based on the data from law enforcement.

### Provision of Services

ONS's main program is the Peacemaker Fellowship.® The Peacemaker Fellowship interrupts gun violence by providing transformational opportunities to young men involved in lethal firearm offenses and placing them in a high-touch, personalized fellowship.

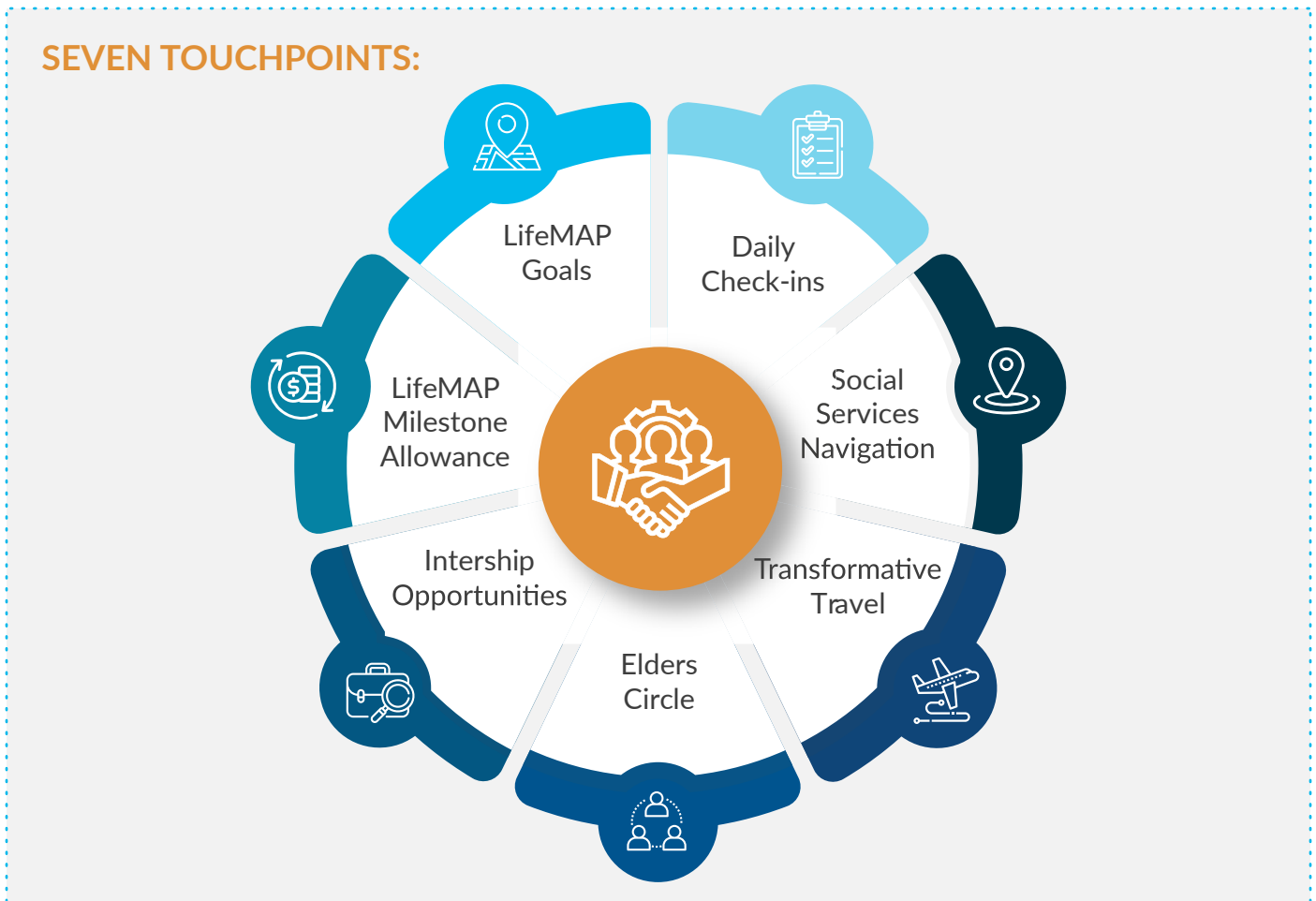
The Fellowship provides life coaching, mentoring, connection to needed services and cultural and educational excursions, known as Transformative Travel, to those deemed to be the most dangerous individuals in the city. Fellows travel across the country and to several international destinations. Fellows can also receive significant financial incentives for participation and positive behavior as a gateway to developing intrinsic motivation that arises from internal and not external rewards.

### Street Outreach

Referred to by a variety of names and long seen as the primary entry point for violence reduction programs, Street Outreach can be an effective intervention when implemented correctly. A number of organizations and programs throughout the country have successfully operated Street Outreach initiatives, including **Urban Peace Initiative** in Los Angeles, who also provide a Street Outreach training academy; the **Newark Community Street Team**; and the **Professional Community Intervention Training Institute**.

### Identification of Program Participants

Street Outreach programs are designed to address the manner in which violence spreads from person to person. Studies show that those who have been continually in contact with violence can be thirty times more likely to commit a violent act in the





future.<sup>115</sup> Moreover, violence often has ripple effects in the community, whether it be in the form of retaliation or further escalation of conflict.<sup>116</sup>

Because of this pattern in violence, Street Outreach programs recognize potentially lethal conflicts in the community by utilizing trained Violence Interrupters. These Violence Interrupters identify ongoing conflicts by speaking to key members of the community about ongoing disputes. Information regarding arrests, prison releases, and prior criminal history are also utilized to pinpoint violent outbreaks.<sup>117</sup>

## Engagement and Services Strategy

Engagement is primarily facilitated by the work of trained Violence Interrupters. Following a shooting, these individuals immediately operate in the community and at hospitals to pacify heightened emotions and prevent retaliations. This involves coordination with local groups and business owners to hold constructive dialogue around community violence and the appropriate actions to take in response. Events are then organized by Violence Interrupters to promote a change in overall neighborhood attitudes towards violence.

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115 <https://1vp6u534z5kr2qmr0w11t7ub-wpengine.netdna-ssl.com/wp-content/uploads/2019/09/Infographic-Top-10-v1.pdf>

116 <https://www.lagryd.org/mission-comprehensive-strategy>

117 <https://cvg.org/what-we-do/>

# POLICE TRAINING



The following strategies have shown to be effective in reducing crime, resolving incidents, and improving the quality of policing without a focus on heavy-handed enforcement.

## SARA Problem Solving Model

The Scanning, Analysis, Response, and Assessment (SARA) model was created in Virginia in 1987 to facilitate the problem-oriented policing procedure.<sup>118</sup> The cornerstone of this model is a priority on outcomes; the model outlines four steps that are necessary for a proper police response to problems within their jurisdictions. To ensure proper implementation, a significant facet of this method is that officers must be ready to build trust between the community and the police department through the establishment of interpersonal relationships.<sup>119</sup>

**Scanning.** This step consists of pinpointing and then triaging repeated issues that necessitate a response from the police department.<sup>120</sup> Frequent problems that occur in the community are given priority. Relevant outcomes of the problem are matched to their corresponding cause. For example, examining which properties in a given area have the highest number of calls for service in a year or given time period is an important initial step in the SARA model.

**Analysis.** Here, law enforcement officers examine the root causes of the issue, community sentiment regarding the problem, and gather needed contextual data.<sup>48</sup> This step also involves assessing the status quo response to the problem and identifying the shortcomings of that strategy. Ultimately, the cause of the problem and potential solutions are determined during this phase.

**Response.** Officers utilize collected data to ascertain potential intervention strategies. When determining

strategies, a thorough review of implemented interventions in different areas with comparable issues is critical. Once a strategy is selected, clear goals must also be established. Execution of the chosen plan is the last part of this step.

**Assess.** After a plan is implemented and officers have attempted to address a problem, the police department must analyze the efficacy of their strategy. Continued evaluation of the intervention is necessary to guarantee lasting success. Alternatives or additions to the strategy are considered as well.<sup>121</sup>

Many police departments have incorporated the SARA model into their interventions. In San Diego, the police department reported that a trolley station was the location of gang fights, violent crimes, and narcotic activity. A squad of officers collected information to show the local transit board that the design of the station contributed to crime. Based on the information provided by the officers, the transit board agreed to provide funds to redesign the station.<sup>122</sup>

## Ethical Policing Is Courageous (EPIC)

The EPIC program is a peer-to-peer intervention strategy that was created by the police department in New Orleans, Louisiana in 2016. EPIC involves training officers to be accountable to each other and intervene before an unlawful act takes place, irrespective of hierarchy. This initiative aims to alter the culture surrounding policing in order to limit police misbehavior and promote a collaborative environment.<sup>123</sup>

The EPIC program is founded on active bystandership psychology, which explains that active bystanders intercede when they are made aware of problematic behavior. EPIC training allows officers to overcome factors that may prevent them from intervening.

118 [https://www.researchgate.net/publication/297556988\\_Police\\_innovation\\_Contrasting\\_perspectives](https://www.researchgate.net/publication/297556988_Police_innovation_Contrasting_perspectives)

119 <https://movementforward.org/a-look-inside-strategies-contributing-towards-community-policing-sara-model/>

120 <https://www.evidence-basedpolicing.org/refresher-sara-model-and-problem-oriented-policing/>

121 <https://movementforward.org/a-look-inside-strategies-contributing-towards-community-policing-sara-model/>

122 <https://www.sandiego.gov/department/problem-oriented-policing>

123 <http://epic.nola.gov/home/>



These factors include a lack of confidence in their skills to deescalate a situation, uneasiness about potential retribution, and worry about breaking an unwritten code of silence.<sup>124</sup>

Leadership in police departments who participate in the EPIC program must be committed to changing their organizational culture. Police departments implementing EPIC must provide education, training, and on-going learning and support to officers for the initiative to be successful. EPIC can also integrate with other initiatives to boost officer well-being, including counseling and trauma assistance as well as stress reduction education.<sup>125</sup>

Areas where EPIC programs have been implemented have better community relations, lower rates of misconduct, and lower rates of public grievances. The majority of the feedback from New Orleans police officers has also been positive.<sup>126</sup> Moreover, there is strong research that peer intervention is effective when successful strategies for interceding are provided.<sup>127</sup>

### Project Active Bystandership for Law Enforcement (ABLE)

Project ABLE is a joint effort between the Georgetown Innovative Policing Program and the Sheppard Mullin law firm to train officers to be able to properly intervene in a crisis situation and promote a policing atmosphere that reinforces peer intervention. Project ABLE is based on the principles of the New Orleans EPIC Peer Intervention Program

and curriculum created by Dr. Ervin Staub for California law enforcement. Through Georgetown, law enforcement agencies are able to receive training in Project ABLE along with a host of other resources to assist them in advancing their own bystandership strategies.<sup>128,129</sup> The training consists of a minimum of a one-time eight hour ABLE-specific training along with a minimum of two hours of annual refresher training.<sup>130</sup> All of these resources are provided to law enforcement agencies free of charge.

Project ABLE’s aim is to reduce police misconduct and errors and assist in improving officer health and well-being. In order to prevent any retaliation from occurring to those officers who intervene, police departments must implement stringent anti-retaliation guidelines. Since its inception, over 70 police departments have enlisted in Project ABLE.<sup>131</sup>

Research has shown that there are many advantages to the implementation of significant bystander training. This is critical because most police departments have a culture that dissuades officers from intervening when they see problematic behaviors.<sup>132</sup> Identified benefits include a decrease in violence to civilians, a decrease in violence to police officers, enhanced relationships between community residents and the police officers,

124 <http://epic.nola.gov/epic/media/Assets/EPIC-Overview.pdf>

125 Id.

126 <https://www.apa.org/monitor/2017/10/police-misconduct>

127 <https://epic.nola.gov/epic/media/Assets/Aronie-Lopez,-Keeping-Each-Other-Safe.pdf>

128 <https://www.law.georgetown.edu/innovative-policing-program/active-bystandership-for-law-enforcement/>

129 <https://www.law.georgetown.edu/innovative-policing-program/active-bystandership-for-law-enforcement/our-mission/>

130 <https://www.law.georgetown.edu/innovative-policing-program/active-bystandership-for-law-enforcement/able-program-standards/>

131 <https://www.wsj.com/articles/nypd-officers-to-get-training-on-speaking-up-against-bad-policing-11611838809>

132 [https://assets.foleon.com/eu-west-2/uploads-7e3kk3/41697/pdf\\_-\\_duty\\_to\\_intervene.6e39a04b07b6.pdf](https://assets.foleon.com/eu-west-2/uploads-7e3kk3/41697/pdf_-_duty_to_intervene.6e39a04b07b6.pdf)

and growth in officer well-being.<sup>133</sup> Evidence also suggests a strong correlation between departments that maintain robust duty to intervene protocols and decreased rates of police deaths per capita.

## Community Safety Partnership (Watts)

Established in November 2011, the Community Safety Partnership (CSP) is a joint effort between the Los Angeles Police Department (LAPD), the Housing Authority of the City of LA (HACLA), and local residents.<sup>134</sup> The program was created in order to address the high violence levels in housing developments in the Watts area and offer residents there supports and services. The broader goal of the CSP is to implement “relationship-based policing.” This process involves police officers creating legitimate relationships with residents of their precinct in order to meaningfully benefit community wellness for the long-term.<sup>135</sup> One of the major stakeholders in the project is the Watts Gang Task Force, a team of neighborhood residents, local faith leaders, and other community-based organizations.

Along with high violence rates, the community was also grappling with concentrated poverty, low education quality, and deteriorating physical infrastructure. Community engagement initiatives the CSP implemented in response include a football team coached by police officers, Fun Runs, health fairs, and organized walks for residents to interact with officers in a non-confrontational setting.<sup>136,137</sup>

In 2020, the CSP Bureau was formed within LAPD to expand the work that was achieved in Watts citywide. The LAPD also consolidated CSP programs creating a centralized point of contact and engagement for the community. The main objectives of the CSP Bureau

were to serve as a resource for officer--community interaction and promotion of neighborhood safety.<sup>138</sup>

The CSP Bureau is also responsible for certifying and training officers for 5-year terms. CSP officers undergo over 100 hours of education from the nonprofit Urban Peace Institute. The training centers on cultural competency, de-escalation skills, and understanding community data.<sup>139</sup>

Originally formed for one housing site, CSP has spread to ten additional developments. In 2017, the program was broadened to the Harvard Park area due to its efficacy. During the initial three years after the CSP’s formation, both violent offenses and arrest rates decreased by over 50 percent in the Watts housing developments. One Watts location even had three consecutive years without a homicide. Residents of these Watts developments have even reported increased perceptions of safety along with greater trust in the police.<sup>140</sup> An evaluation of CSP by UCLA found that this effort reduced crime, arrest rates, and use of force grievances from residents.<sup>141</sup>

## Focused Deterrence

Focused Deterrence strategies involve the communication of risks, ramifications, and avenues of support to individuals involved in gun violence. This strategy is based on the fact that a very small number of people are responsible for a large portion of gun violence.

One of the most prominent implementations of focused deterrence is Boston, Massachusetts’s Operation Ceasefire. Experiencing an increase in violence, Boston police identified and communicated with individuals and groups that were pinpointed as most at risk of engaging in violence.<sup>142</sup> Boston police also partnered with the Boston Ten Point Coalition, a group of faith and community leaders,

133 <https://www.law.georgetown.edu/innovative-policing-program/active-bystandership-for-law-enforcement/able-program-standards/>

134 <https://www.lamayor.org/mayor-garcetti-announces-new-expansion-community-safety-partnership>

135 <https://static1.squarespace.com/static/55b673c0e4b0cf84699bdfbf/t/5a1890accec212d9bd3b8f52d/1511559341778/President%207s+Task+Force+CSP+Policy+Brief+FINAL+02-27-15updated.pdf>

136 <https://lasentinel.net/hundreds-of-south-la-residents-attend-launch-of-community-safety-partnership-in-harvard-park.html>

137 <https://empowerla.org/lapds-community-relationship-division/>

138 <https://www.lamayor.org/mayor-garcetti-announces-creation-lapd-community-safety-partnership-bureau>

139 <https://static1.squarespace.com/static/55b673c0e4b0cf84699bdfbf/t/5a1890accec212d9bd3b8f52d/1511559341778/President%207s+Task+Force+CSP+Policy+Brief+FINAL+02-27-15updated.pdf>

140 *Id.*

141 <https://www.lamayor.org/mayor-garcetti-announces-creation-lapd-community-safety-partnership-bureau>

142 <https://cebcp.org/evidence-based-policing/what-works-in-policing/research-evidence-review/focused-deterrence/>

in order to provide support and services to these targeted individuals and groups. Oakland has also implemented a version of Focused Deterrence that is profiled in the Gun Violence Reduction section of this report.

Focused Deterrence strategies are often tailored to the location in which they are being implemented. Project Safe Neighborhoods in Lowell, Massachusetts, instituted this strategy in areas of high crime. Lowell dealt with a significant Asian gang presence largely comprising youth involved in illicit gambling operations. In order to address the youth violence, the City of Lowell worked with older Asian males in charge of the gambling. The older Asians intervened in youth violence in order to prevent their gambling enterprise from being destroyed. Lowell experienced a major decline in adolescent violence following the implementation of this Focused Deterrence strategy.<sup>143</sup>

After Ceasefire was implemented in Boston, evaluations found a 63 percent drop in youth homicides and a 32 percent decline in calls for service related to gun violence.<sup>144</sup> A meta-analysis of several Focused Deterrence strategies found steady reductions in violent crime of up to 60 percent, particularly for group and gang related violence.<sup>145</sup>

## Elimination of Pretextual Stops

Pretextual or pretext traffic stops occur when police officers stop a driver for a minor violation, like vehicle equipment failure, and then try to leverage that opportunity to find evidence of a more significant crime. A recent evaluation of 100 million traffic encounters demonstrated that Black and Latino drivers experience higher rates of pretextual stops and searches.<sup>146</sup> However, most of these stops do not actually yield any contraband or weapons.<sup>147</sup> Because the nature of pretextual stops relies heavily on officer discretion, there is high likelihood that implicit racial biases come into play. Such stops that end in violence

143 <https://cebcp.org/evidence-based-policing/what-works-in-policing/research-evidence-review/focused-deterrence/>

144 <https://www.ojp.gov/pdffiles1/nij/188741.pdf>

145 <https://prohic.nl/wp-content/uploads/2020/11/2020-03-31-FocusedDeterrenceBraga.September2019.pdf>

146 <https://www.vera.org/blog/ending-pretextual-stops-is-an-important-step-toward-racial-justice>

147 <https://www.law.upenn.edu/live/files/7898-rudovskyslj>

or death disproportionately affect Black and Latino drivers.<sup>148</sup>

Elimination of pretextual stops does not negatively affect crime. An analysis by the police department in Fayetteville, North Carolina showed that violent crime was not affected after the police department reformed its use of pretextual stops.<sup>149</sup>

Pretextual stops are in the process of being regulated in many states across the country. Oregon's Supreme Court ruled in November 2019 that it was unconstitutional for police to stop a driver and proceed to ask unrelated questions, thereby effectively banning pretextual stops.<sup>150</sup> Virginia policy makers are also considering restricting pretextual stops.<sup>151</sup> Other legislation has been introduced across the country that prevents police officers from conducting certain types of pretextual stops including, for example, broken tail or brake lights, objects obstructing the rearview mirror, and tinted windows.<sup>152</sup> Advocates of these bills state the proposed limitations would decrease racial incongruities in traffic stops.<sup>153</sup> The Berkeley City Council has already approved the formation of BerkDOT in order to address and decrease the frequency of pretextual traffic stops.<sup>154</sup> The City Council also approved the Mayor's Fair and Impartial Policing Workgroup's recommendations, which includes elimination of pretextual stops.

## Ethical Society of Police (ESOP)

Instituted in 1972 by Black St. Louis Metropolitan Police Department officers, the Ethical Society of Police (ESOP) is a police union that was created in order to combat systemic racism within the

148 <https://www.berkeleyside.com/2021/03/02/opinion-for-berkeley-to-reimagine-public-safety-we-must-grapple-with-traffic-enforcement>

149 <https://injepijournal.biomedcentral.com/articles/10.1186/s40621-019-0227-6>

150 <https://www.opb.org/news/article/oregon-supreme-court-bans-police-officers-random-questions/>

151 <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2020/09/03/police-pretext-traffic-stops-need-to-end-some-lawmakers-say>

152 <https://theappeal.org/traffic-enforcement-without-police/>  
153 <https://www.dailypress.com/news/crime/dp-nw-northam-legislation-traffic-20201021-3f2tmucyl5csdmbhhv2zh3atya-story.html>

154 <https://www.berkeleyside.com/2021/03/02/opinion-for-berkeley-to-reimagine-public-safety-we-must-grapple-with-traffic-enforcement>

department and greater community. The group is comprised of 220 members, who are either police officers or civilian contractors.<sup>155</sup> The organization recently scaled up to include the St. Louis County Police Department. ESOP has been particularly outspoken in cases of police wrongdoing. The group places a higher premium on ethical decision making, even though openly criticizing actions of their fellow police officers can be difficult.

Most recently, ESOP condemned the actions of a police officer in Brooklyn Center, Minnesota that resulted in the death of Daunte Wright, expressing that the officer was irresponsible in upholding her duties.<sup>156</sup> ESOP has also sponsored many events in order to improve relationships between police officers and their community including Pizza with a Cop, community clean-up days, and basketball games. In August of 2020, ESOP also released a groundbreaking report that details systemic racism throughout the St. Louis Metropolitan Police Department.

## Chicago PD Black Public Safety Alliance (BPSA)

A group of Black Chicago Police Department (CPD) officers created the Black Public Safety Alliance (BPSA) in 2021.<sup>157</sup> The organization serves to give Black police officers a voice amidst the deep-rooted issues between communities of color and the CPD. The BPSA was created in response to concerns with the broader Fraternal Order of Police (FOP).<sup>158</sup> Officers in the BPSA have explained they “...do not feel supported or comfortable at the FOP,” especially after the local police union refused to undergo mandated precinct reform to promote trust in the community.<sup>159</sup>

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155 [https://img1.wsimg.com/blobby/go/64ce42b7-f768-43ed-9590-dbd611afb7b6/downloads/1c6lj3b8j\\_482336.pdf?ver=1618276018416](https://img1.wsimg.com/blobby/go/64ce42b7-f768-43ed-9590-dbd611afb7b6/downloads/1c6lj3b8j_482336.pdf?ver=1618276018416)

156 <https://www.nytimes.com/2021/04/14/opinion/police-officer-unions.html?action=click&module=Opinion&pgtype=Homepage>

157 <https://www.wbez.org/stories/black-chicago-police-officers-form-new-group/abb12a96-1103-4ced-a068-0ffb158da9>

158 <https://movementforward.org/a-look-inside-strategies-contributing-towards-community-policing-sara-model/>

159 <https://www.chicagotribune.com/news/criminal-justice/ct-black-chicago-police-organization-20210225-dvzbzcs4z3feqvix4sumhcbgru-story.html>

The formation of the alliance is a reflection of the national conversation that was ignited by George Floyd’s death. The members of BPSA have expressed that advocating for the Black community is one of their main goals, even if that involves challenging the status quo. Currently operating as a nonprofit, the BPSA has established working groups on diversity policies, adolescent coaching, and police reform.<sup>160</sup>

## Police Diversity

With the recent demands for law enforcement to address racial injustice and the disparate impact of policing on communities of color, diversity in the ranks of officers has emerged as a potential area of reform. In a New York Times analysis of federal Bureau of Justice Statistics data on nearly 500 police departments across the country, more than 66 percent of the departments experienced a reduction in diversity and became more white from 2007 to 2016. Although the share of police officers of color has risen in that time period as well, the demographics of police departments do not reflect the demographics of communities they serve.<sup>161</sup> Black officers are twice as likely than their white counterparts to espouse the belief that the deaths of people of color at the hands of police officers are a legitimate problem.<sup>162</sup>

Diversity in law enforcement is correlated with stronger bonds between a department and the community they serve, particularly communities of color. Use of force grievances have also been shown to decrease when there are more non-white officers in leadership positions.<sup>163</sup> A new comprehensive study of police diversity in Chicago, Illinois was conducted by a group of academics from Princeton University, Columbia University, the Wharton School of Business, and the University of California at Irvine. Their research concluded that, “Relative to white officers, Black and Hispanic officers make far fewer stops and arrests, and they use force less often, especially against Black civilians. These effects are

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160 Id.

161 <https://www.nytimes.com/interactive/2020/09/23/us/bureau-justice-statistics-race.html>

162 <https://www.pewresearch.org/fact-tank/2017/01/12/black-and-white-officers-see-many-key-aspects-of-policing-differently/>

163 <https://www.nytimes.com/interactive/2020/09/23/us/bureau-justice-statistics-race.html>

largest in majority-Black areas of Chicago and stem from reduced focus on enforcing low-level offenses, with greatest impact on Black civilians. Female officers also use less force than males, a result that holds within all racial groups.”<sup>164</sup>

## Warrior vs. Guardian Mentality

The mentality of a warrior going to battle and the police force being an occupying army has been referred to as the “warrior mentality” for many years. Instilled, or reinforced, in police officers at the academy, the warrior concept is saturated throughout police culture. The guardian mentality is a newer idea that promotes community engagement, the establishment of meaningful relationships, and providing support to residents.<sup>165</sup>

“From Warriors to Guardians: Recommitting American Police Culture to Democratic Ideals,” a report by the Harvard University Kennedy School of Government and the National Institute of Justice, directly addresses the problems of the warrior culture in policing. The report states: “In some communities, the friendly neighborhood beat cop – community guardian – has been replaced with the urban warrior, trained for battle and equipped with the accouterments and weaponry of modern warfare.”<sup>166</sup>

The report goes on to highlight problems with police academies and the aggressive, warrior type manner in which new recruits are trained: “Another, more insidious problem in a military-style academy is the behavior modeled by academy staff. Those without power (recruits) submit without question to the authority of those who have power (academy staff). Rule violations are addressed by verbal abuse or physical punishment in the form of pushups and extra laps.”<sup>167</sup>

A novel initiative has been implemented at the Washington State Criminal Justice Training Commission (WSCJTC) to try to instill the guardian culture in police departments in the state. The WSCJTC

conducts and implements training of over 10,000 police officers annually. Curricular and approach changes include the removal of salute requirements for recruits, motivating instead of criticizing recruits during training, and the incorporation of behavioral education into the curriculum. Early longitudinal evaluations of the WSCJTC program show that the officers that participated in the training felt more comfortable responding to behavioral and mental health crises when compared with officers that did not receive the training.<sup>168</sup> Gains in emotional intelligence and peer support were observed as well.

## Accountability

Current police accountability mechanisms are largely perceived to be ineffective. While the challenges in this area are myriad, there are two particularly critical areas of focus in the police accountability conversation, the Law Enforcement Officers’ Bill of Rights and Qualified Immunity.

## Law Enforcement Officers’ Bill of Rights

Sixteen states currently employ some sort of police officer bill of rights, including California. These bills provide workplace safeguards for police officers, including but not limited to erasing misconduct complaints after a time period, a bar against civilian investigation, and a waiting period before any investigation can begin.<sup>169</sup> They have been consistently cited as a central barrier to police accountability in jurisdictions across the country.

Maryland, the state which enacted the first police officer bill of rights and had what many consider the most draconian, recently repealed its Law Enforcement Officers’ Bill of Rights in April 2021 in order to increase police accountability drastically.<sup>170</sup> Maryland’s replacement legislation involves a stringent use-of-force measure, incorporation of

164 <https://scholar.princeton.edu/sites/default/files/bkmr.pdf>

165 <https://www.sciencedaily.com/releases/2019/02/190226155011.htm>

166 <https://www.ojp.gov/pdffiles1/nij/248654.pdf>

167 <https://www.ojp.gov/pdffiles1/nij/248654.pdf>

168 [https://www.seattleu.edu/media/college-of-arts-and-sciences/departments/criminaljustice/crimeandjusticeresearchcenter/documents/Helfgott-and-Hickman-2021\\_Longitudinal-Study-of-the-Effect-of-Guardian-Training-for-LE.pdf](https://www.seattleu.edu/media/college-of-arts-and-sciences/departments/criminaljustice/crimeandjusticeresearchcenter/documents/Helfgott-and-Hickman-2021_Longitudinal-Study-of-the-Effect-of-Guardian-Training-for-LE.pdf)

169 <http://www.cato.org/blog/police-misconduct-law-enforcement-officers-bill-rights>

170 <https://www.washingtonpost.com/history/2020/08/29/police-bill-of-rights-officers-discipline-maryland/>

civilian panels for discipline, and an emphasis on de-escalation tactics.<sup>171</sup>

## Qualified Immunity

Qualified immunity, established by the Supreme Court in 1967, effectively protects state and local officials, including police officers, from personal liability unless they are determined to have violated what the court defines as an individual's "clearly established statutory or constitutional rights." The doctrine can be used only in civil cases, not criminal, and allows victims to sue officials for damages only under those circumstances.

Critics and reform advocates say that the doctrine gives officers free rein to use excessive force with impunity and argue that what it defines as "clearly established" law remains largely elusive and difficult to prove, as it requires the victim to present a previous case with nearly identical circumstances that a court ruled as unconstitutional. They also assert the law helps officers escape accountability and prevents victims from achieving justice.

Elimination of qualified immunity is thus another component of increasing police accountability. Colorado and New Mexico<sup>172</sup> have recently passed legislation modifying their respective qualified immunity provisions; similar legislation in California is pending.

The George Floyd Justice in Policing Act of 2020 calls for the national elimination of qualified immunity.<sup>173</sup>

## Additional Accountability Measures of Note

A routine check of officers' social media can also be a powerful tool to address potentially racist or other problematic posts. After a 2019 analysis of approximately 4 million stops by police in California, the Racial and Identity Profiling Advisory Board has recommended that police departments perform

checks on assigned department software as well as social media accounts in order to identify and hold accountable officers who are actively biased and reflect that bias on the job.<sup>174</sup>

Early intervention systems (EIS) are an additional mechanism by which police accountability can be fostered. These systems analyze a variety of indicators for potentially problematic behavior including use of force incidents, citizen grievances, and disciplinary history. Identification of habitual misconduct by officers is often accomplished through a 'peer officer comparison system,' where officers assigned to the same beat are juxtaposed.<sup>175</sup> Once an officer is identified by the EIS for habitual misconduct, supports, and services to aid the officer are provided in order to encourage officer well-being and aid in

behavioral change. Continued monitoring of officer progress as well as frequent reviews of EIS data are necessary for successful implementation.<sup>176</sup>

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171 Id.

172 [https://custom.statenet.com/public/resources.cgi?id=ID:bill:NM2021000H4&ciq=ncsl&client\\_md=562236734bdbcb53a3148c2e8d11ebbd&mode=current\\_text](https://custom.statenet.com/public/resources.cgi?id=ID:bill:NM2021000H4&ciq=ncsl&client_md=562236734bdbcb53a3148c2e8d11ebbd&mode=current_text)

173 <https://www.congress.gov/bill/116th-congress/house-bill/7120/text>

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174 <https://www.policemag.com/589521/advisory-board-recommends-ca-agencies-check-officers-social-media-activity-for-r>

175 <https://samuelwalker.net/issues/early-intervention-systems/>

176 <https://www.policefoundation.org/publication/best-practices-in-early-intervention-system-implementation-and-use-in-law-enforcement-agencies/>



# POLICE TRAINING



Increased training and education programs are frequently promoted to police departments to help improve the quality of policing and support officers in gaining new skills. As noted by two Columbia Law School professors in an article on police reform, "... training does not take root unless officers are held accountable for obeying the rules and practicing the skills they are taught."<sup>177</sup> Training alone is not adequate to transform a police department or change the behavior of an officer. But combined with culture change, new policies and accountability, training can be an effective tool to improve and reform the police.

## Procedural Justice

Procedural Justice in policing improves police-community relations and emphasizes police departments and officers being transparent in their actions, fair in their processes, allowing community voice, and using impartiality in decision making.

According to the Department of Justice's Community Oriented Policing Services, "Procedural justice refers to the idea of fairness in the processes that resolve

disputes and allocate resources. It is a concept that, when embraced, promotes positive organizational change and bolsters better relationships."<sup>178</sup>

A comprehensive evaluation of procedural justice training found that "training increased officer support for all of the procedural justice dimensions. . . Post-training, officers were more likely to endorse the importance of giving citizens a voice, granting them dignity and respect, demonstrating neutrality, and (with the least enthusiasm) trusting them to do the right thing."<sup>179</sup>

Several evaluations of procedural justice have found the education has been correlated with an improvement in relations between a community and a police department.<sup>180</sup> In Oakland, the police department trained all officers in procedural justice and provided specialized procedural justice training to the department's gun violence reduction unit. Oakland's police department was also the first department in the country to have members of the

<sup>177</sup> <https://www.themarshallproject.org/2014/12/19/the-new-new-policing>

<sup>178</sup> <https://cops.usdoj.gov/procdceduraljustice>

<sup>179</sup> [https://www.researchgate.net/publication/269723704\\_Training\\_police\\_for\\_procedural\\_justice](https://www.researchgate.net/publication/269723704_Training_police_for_procedural_justice)

<sup>180</sup> [https://www.cityofberkeley.info/uploadedFiles/Police/Level\\_3\\_-\\_General/Principled%20Policing\\_outline.pdf](https://www.cityofberkeley.info/uploadedFiles/Police/Level_3_-_General/Principled%20Policing_outline.pdf)



community teach a portion of the procedural justice training.

To aid in procedural justice incorporation into police departments, the Justice Collaboratory at Yale Law School has created a compilation of procedural justice training guides, departments who have implemented procedural justice training, and other pertinent resources.<sup>181</sup>

While also suggesting procedural justice training as a way to combat the “warrior mentality” in police departments, a Harvard University Kennedy School of Government report advises that “Police leaders dedicated to establishing practices in their agencies based on procedural justice principles must ensure that their organizational culture is not in conflict with these same principles.”<sup>182</sup>

## Implicit Bias

Implicit bias, as the name denotes, is an unconscious belief, attitude or bias against another race, ethnicity, or group. When Stanford University psychologist Jennifer Eberhardt conducted a large-scale study of policing, she discovered that the unconscious link between Black individuals and criminality is so high that even contemplating lawlessness can cause someone to fixate on Black people.<sup>183</sup> These societal biases end up affecting the judgment of police officers whether they are aware of it or not.

In Oakland, Professor Eberhardt and her team reviewed body camera footage from 1,000 traffic stops to elucidate the difference in officer language in encounters with Black versus white drivers. The research found that Oakland Police Department (OPD) officers consistently communicated with Black drivers in a less civil manner when compared with white drivers they addressed.<sup>184</sup> Various programs to address implicit bias were then recommended for implementation in OPD in response to these findings. Short, repeated education sessions were found to be associated with higher levels of officer

181 <https://law.yale.edu/justice-collaboratory/procedural-justice/guides-practitioners>

182 <https://www.ojp.gov/pdffiles1/nij/248654.pdf>

183 <https://psychology.stanford.edu/news/we-understand-implicit-bias-now-what-conversation-stanford-psychologist-jennifer-eberhardt>

184 Id.

comprehension and knowledge.<sup>185</sup> The training was accompanied by more community engagement and data transparency in order to allow officers to start the process of unlearning implicit biases.

A novel approach to implicit bias training is the Counter Bias Training Simulation (CBTSim). This strategy utilizes shooting automation and video sequences to demonstrate the risks of implicit bias in a realistic setting.<sup>186</sup> In the curriculum, officers are forced to deal with potentially explosive situations without reacting in a way that reflects preconceived notions.<sup>187</sup>

## De-escalation

With an increase in the number of deadly interactions between police and unarmed civilians going viral, there has been an on-going call for officers to be required to utilize effective verbal de-escalation strategies. Law enforcement officers in the United States kill nearly 1,000 civilians annually, many of whom are unarmed.<sup>188</sup> However, many law enforcement agencies provide little to no de-escalation training to officers, and 34 states have no mandate for de-escalation training.

Successful de-escalation programs operate to assist law enforcement personnel in relaxing the situation in order to gain valuable time in a crisis. Ideal guidance for officers suggests that 40 hours of de-escalation instruction is needed. The Police Executive Research Forum (PERF) de-escalation training is a program that has seen substantial reductions in use of force complaints and civilian injury. The training includes active listening, forming physical space between the individual and officer, and education regarding mental illness and well-being.<sup>189</sup>

When the Dallas Police Department implemented a training curriculum involving de-escalation tactics,

185 <https://news.stanford.edu/2016/06/15/stanford-big-data-study-finds-racial-disparities-oakland-calif-police-behavior-offers-solutions/>

186 <https://www.npr.org/2020/09/10/909380525/nypd-study-implicit-bias-training-changes-minds-not-necessarily-behavior>

187 <https://www.faac.com/milo/cognitive/cbtsim/>

188 [https://www.washingtonpost.com/local/deescalation-training-police/2020/10/27/3a345830-14a8-11eb-ad6f-36c93e6e94fb\\_story.html](https://www.washingtonpost.com/local/deescalation-training-police/2020/10/27/3a345830-14a8-11eb-ad6f-36c93e6e94fb_story.html)

189 Id.

use of force grievances declined by 18 percent the following year. After the San Francisco Police Department incorporated de-escalation training into their curriculum, use of force incidents dropped by 24 percent annually.<sup>190</sup>

## Community Engagement

A tense relationship between police and the community, especially communities of color, has been a long, intractable problem. Mistrust of law enforcement is not just theoretically problematic; it has also been proven to be linked to an increase in crime and violence.<sup>191</sup> Police officers should work to develop meaningful and positive relationships with members of the community by taking measures including regularly and actively attending community meetings, special events, neighborhood gatherings, positively communicating with area youth, and participating or hosting local sporting events. By doing so law enforcement conveys the message that residents have a voice and that their input matters. Police should also connect with individuals in the community who advocate for greater social cohesion, such as faith leaders, in order to successfully engage a broad swath of the community.<sup>192</sup>

Crime Prevention Through Community Engagement (CPTCE), an extensive training guide for improving relations between police departments and the community, was recently developed by The American Crime Prevention Institute (ACPI). The training consists of strategies to engage communities of color, employ social media to interact with residents, coordinate with faith-based leaders, and partner with community-based organizations.<sup>193</sup>

In New Haven, Connecticut, the police department implemented 40-hours of community engagement education for its recruits, including education about the area's history as well as continuous outreach activities. Officers overwhelmingly supported the initiative and reported having positive interactions.

190 [https://www.washingtonpost.com/local/deescalation-training-police/2020/10/27/3a345830-14a8-11eb-ad6f-36c93e6e94fb\\_story.html](https://www.washingtonpost.com/local/deescalation-training-police/2020/10/27/3a345830-14a8-11eb-ad6f-36c93e6e94fb_story.html)

191 <https://giffords.org/wp-content/uploads/2020/01/Giffords-Law-Center-In-Pursuit-of-Peace.pdf>

192 <https://courses.acpionline.com/community-engagement/>

193 <http://acpionline.com/seminars/cptcelou/>

After the pilot, the police department expanded the program to partner with the local community-based organization, Leadership, Education, & Athletics in Partnership (LEAP).<sup>194</sup> Community engagement training for law enforcement in general is correlated with increased trust and stronger social ties in neighborhoods.

Open Policing is a research-based strategy that incorporates elements of procedural justice to improve police-community relations. Residents of communities are able to offer their comments and observations regarding their exchanges with police officers anonymously. All comments are collated into Agency Pages, which can be explored by residents and officers.<sup>195</sup> In addition to the Open Policing policy, some departments have initiated CFS reviews. After any call for service, community members are able to give details about their interaction in a three-minute review without any fear of consequence.<sup>196</sup>

The four main components of procedural justice have been assimilated into Open Policing, including promotion of vocalization from the community, serving individuals with respect, objectivity in decision-making, and credibility with the community. The main goals of the strategy are to improve officer-civilian relations and responses to incidents as well as promoting accountability within the department. All comments are collated into Agency Pages, which can be explored by residents and officers.<sup>197</sup> Open Policing has been correlated with a 35 percent decrease in resident grievances and increased trust in police departments.<sup>198</sup>

## Data Driven Risk Management

The Oakland Police Department (OPD) recently implemented a series of 15 Microsoft Power BI (Business Intelligence) dashboards that allow for a precise review of police behavior. Working with Slalom, a data consulting firm, OPD has increased transparency and accountability through data

194 [https://www.policefoundation.org/wp-content/uploads/2017/08/IAP\\_Outside-the-Academy-Learning-Community-Policing-through-Community-Engagement.pdf](https://www.policefoundation.org/wp-content/uploads/2017/08/IAP_Outside-the-Academy-Learning-Community-Policing-through-Community-Engagement.pdf)

195 [https://www.policylink.org/sites/default/files/pl\\_police\\_commun%20engage\\_121714\\_c.pdf](https://www.policylink.org/sites/default/files/pl_police_commun%20engage_121714_c.pdf)

196 <https://www.openpolicing.org/how-open-policing-works/>

197 Id.

198 <https://www.openpolicing.org/try-open-policing/>

analysis. Patterns of enforcement, historical activity, and performance over time are all monitored in close to real-time.<sup>199</sup>

The dashboards were created with input from OPD staff and leadership, community-based organizations, other law enforcement agencies, and Stanford University's SPARQ (Social Psychological Answers to Real-world Questions). Each dashboard can be accessed by OPD leadership, depending on security clearance. The dashboards have a simple interface, allowing supervisors to access and understand the data easily. Police supervisors can access a variety of data, from long-term information to arrests made within the last 24 hours.<sup>200</sup> Dashboards allow for an easy breakdown of incidents by factors including race, gender, ethnicity, and officer. This permits police departments to monitor problematic patterns and address them quickly.<sup>201</sup> Early Intervention Systems (EIS) such as these dashboards have been correlated with increased personnel safety, improved officer welfare, and an increase in police accountability.<sup>202</sup> One necessary improvement to these systems and their deployment is to universally allow the public to have access to the information they capture.

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199 <https://www.slalom.com/case-studies/city-oakland-creating-police-transparency-and-trust-data>

200 <https://medium.com/slalom-data-analytics/data-is-the-new-sheriff-in-town-but-is-it-biased-4aa140904dd7>

201 <https://cao-94612.s3.amazonaws.com/documents/Police-Commission-7.23.20-Agenda-Packet.pdf>

202 <https://www.emerald.com/insight/content/doi/10.1108/PIJPSM-02-2020-0027/full/html>

# APPENDIX I

## Alternative Responses Report

# INTRODUCTION AND REPORT OVERVIEW

In the effort to provide meaningful information and recommendations to the Berkeley Reimagining Public Safety process, the National Institute for Criminal Justice Reform (NICJR) was tasked by the City Manager's Office to conduct research and analysis to produce a series of reports for the Taskforce, City of Berkeley (City) leadership, and the public. NICJR reviewed the City Auditor's Calls for Services assessment, conducted further analysis of Berkeley Police Department Calls for Service (CFS), used the previously submitted New and Emerging Models of Public Safety report, and drew upon our team's experience and expertise, to develop this Alternatives Responses report.

This report provides an actionable roadmap for providing community and other non-law enforcement alternatives to a police response for 50 percent of CFS types to which the Berkeley Police Department (BPD) currently responds.

The initial section of this report presents the NICJR analysis of BPD's CFS and compares that analysis to the Berkeley City Auditor's report. The next section provides an overview of NICJR's alternative response model – Tiered Dispatch, which includes the Community Emergency Response Network (CERN) – and describes how specific call types are assigned to CERN tiers.

The report concludes with an overview of a framework for the City's alternative response model, drawing upon both existing and planned City resources. The specific parameters and scope of the Specialized Care Unit (SCU) have not yet been defined. The present analysis assumes that the SCU's role will be focused on mental-health and substance abuse related call responses.

# CALLS FOR SERVICE ANALYSIS

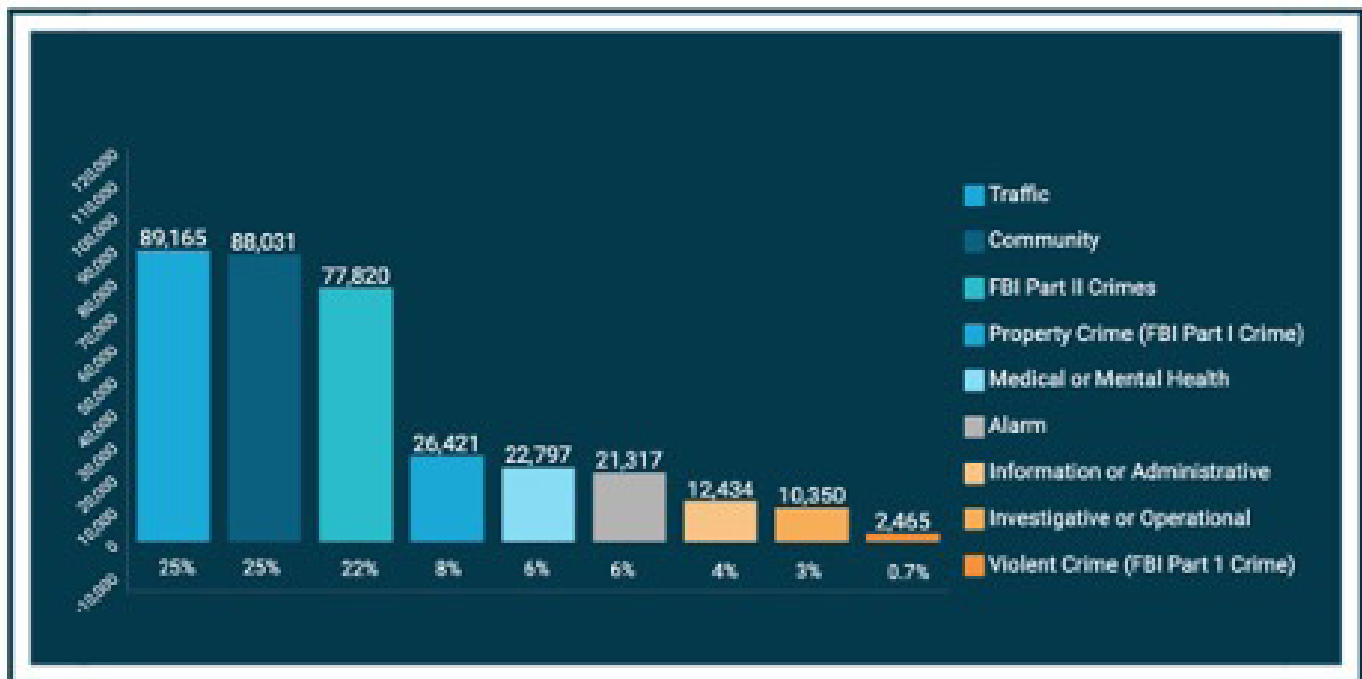
## Summary of City Auditor Findings, NICJR Category Assignment and Crosswalk

The Berkeley City Auditor (Auditor) recently conducted an analysis of over 350,000 BPD calls for service covering calendar years 2015-2019. The BPD CFS audit, which can be found [here](#), focused on the following questions:

1. What are the characteristics of calls for service to which Berkeley Police respond?
2. What are the characteristics of officer-initiated stops by Berkeley Police?
3. How much time do officers spend responding to calls for service?
4. How many calls for service are related to mental health and homelessness?
5. Can the City improve the transparency of Police Department calls through the City of Berkeley's Open Data Portal?

The Auditor categorized over 130+ call types into 9 categories in an effort to answer these questions: Violent Crime (FBI Part 1), Property Crime (FBI Part I), FBI Part II Crimes, Investigative or Operational, Medical or Mental Health, Information or Administrative, Community, Traffic, and Alarm.

**Figure 1. BPD Calls by Auditor Call Categories**



Between 2015 and 2019 the Auditor found that BPD responded to an average of 70,160 CFS annually, and that ten call types accounted for 54 percent of all CFS.

**Table 1. Top Ten Call Types, Auditor Report**

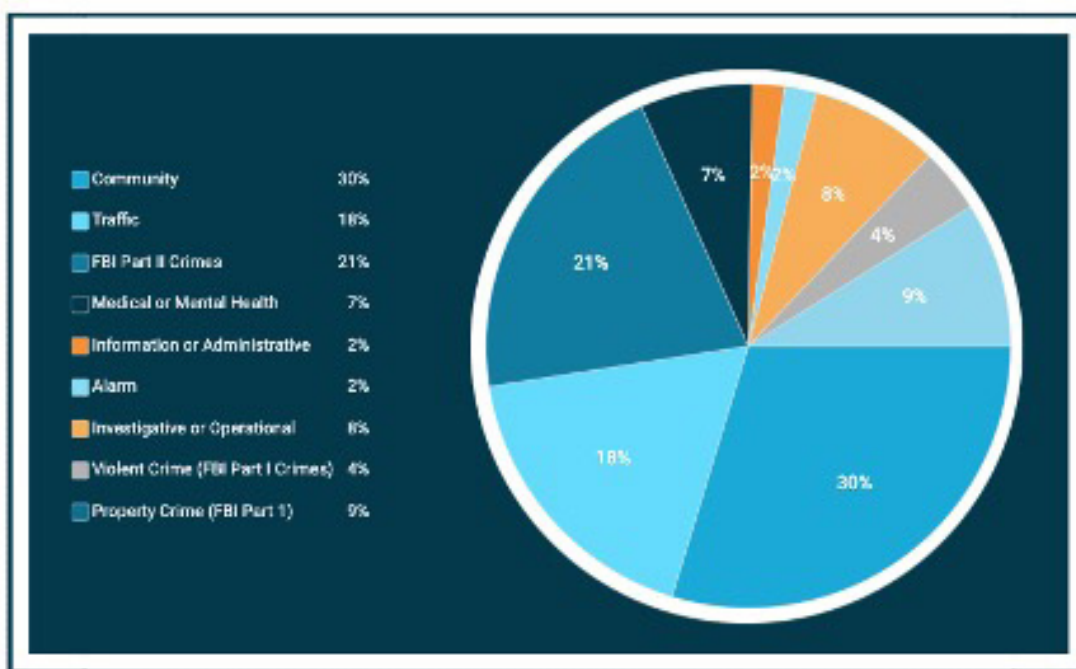
Call Types	Total Count
Traffic Stop	44,795
Disturbance	35,696
Audible Alarm	19,920
Noise Disturbance	15,773
Security Check	15,262
Welfare Check	15,030
Suspicious Circumstance	11,547
Trespassing	11,058
Theft	10,556
Wireless 911	9,899

Top 10 call types account for 54% of all events

The top ten call types fell into four categories: Traffic, Community, Alarm, and Property Crime. Mental health related CFS accounted for approximately 12 percent of all call types, while homelessness CFS accounted for 6.2 percent of all events. These types of CFS were identified by looking at keywords in narrative reports, disposition codes, call types, and/or Mobile Crisis Team response.

During the period reviewed, BPD officers spent most of their time (69 percent) responding to CFS that were categorized as Traffic (18 percent), Community (30 percent), or FBI Part II crimes (21 percent). Seven percent of BPD officers' time was spent handling Medical Mental Health CFS, another 9 percent on Property Crime CFS, and 2 percent on Alarms. The remainder of BPD officer time (14 percent) was spent on Information or Administrative, Investigative or Operational, and Violent Crime CFS.

**Figure 2. BPD Officer Time Allocation, Auditor Report**





# NICJR EXPANDS UPON AUDITOR'S ANALYSIS

As a first step in developing this Alternative Response Report, NICJR reviewed the CFS analysis completed by the Auditor and compared the results of that analysis to its own CFS classification results.

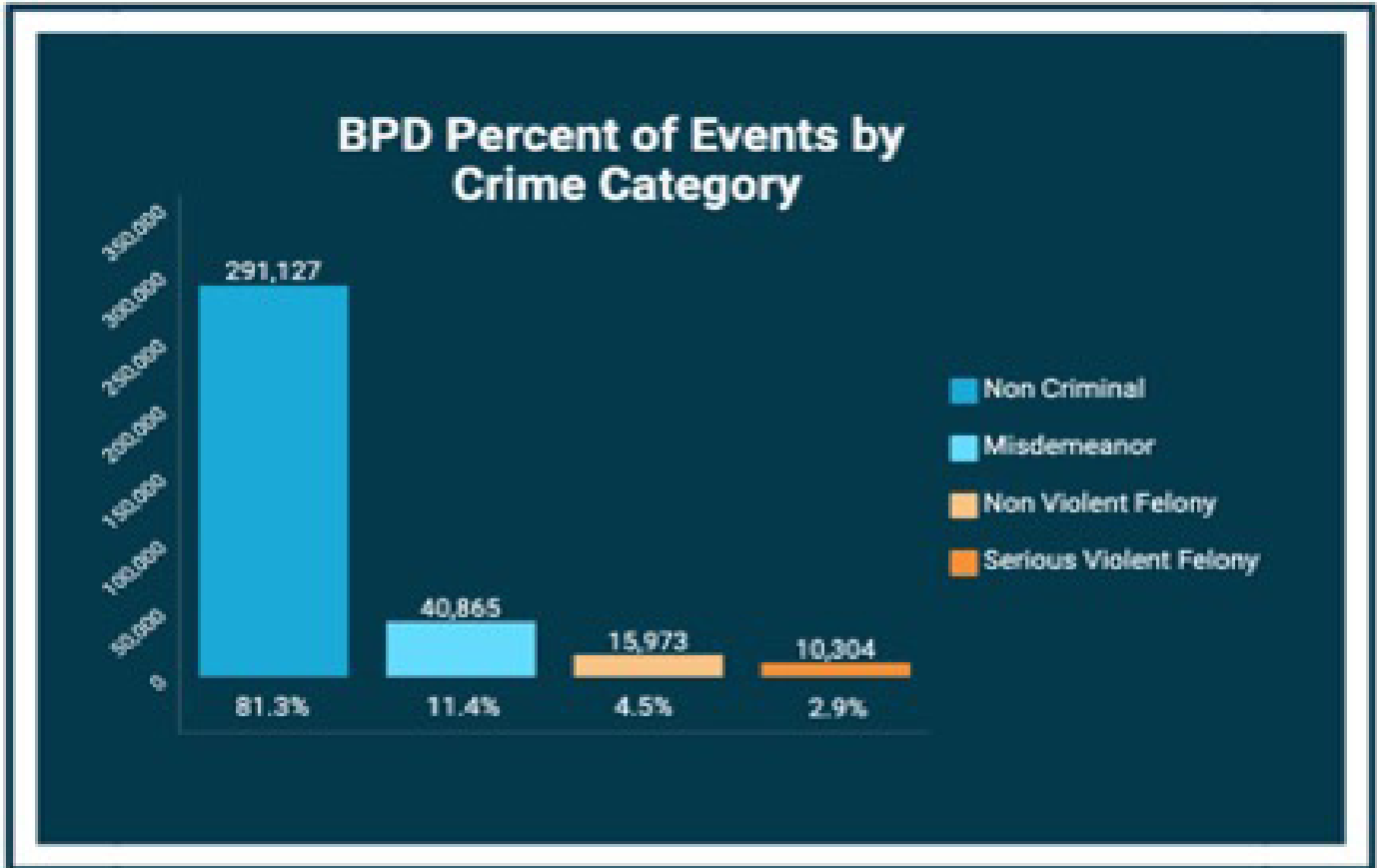
As outlined above, the Berkeley City Auditor aggregated all BPD call types into 9 categories, while NICJR uses 4 Categories to organize the same events. A crosswalk between the Auditor's 9 and NICJR's 4 CFS Categories is outlined in Table 2. NICJR categories are aligned with state specific penal codes and their associated penalties. If a call type is not found in the penal code, it is placed into the Non-Criminal Category.

**Table 2. Crosswalk, Berkeley City Auditor and NICJR Call Type Categories**

Berkeley Auditor Categories	NICJR Categories
Violent Crimes (FBI Part I)	Serious Violent Felony: Any event identified in the California Penal Code as a Serious Violent Felony
Property Crimes (FBI Part I)	Non-Violent Felony: Any event identified in the California Penal Code as a Non-Violent Felony
FBI Part II Crimes	Misdemeanor: Any event identified in the California Penal Code as a Misdemeanor
Community	Non-Criminal: Any event not identified in the Penal Code
Medical or Mental Health	
Traffic	
Informational or Administrative	
Investigative or Operational	
Alarm Calls	

NICJR uses this method of categorizing events because it affords the most linear association between the event and its associated criminal penalty. By categorizing events in this manner, NICJR can clearly identify the portion of CFS that are either non-criminal or are for low-level and non-violent offenses. Categorizing call data into a simple criminal vs. non-criminal, violent, vs. non-violent, structure also supports conversations with the community about alternatives to policing for specific call types grounded in easily understandable data.

Figure 3. BPD Events by NICJR Crime Category<sup>1</sup>



There were 22 call types<sup>2</sup> (11 percent) that differed in assignment when comparing the Auditor’s report to NICJR results. A summary of these variances is outlined in Table 3 and described below.

Table 3. Key Variances, NICJR vs. Auditor Call Type Categorization

NICJR Classification	Auditor Classification	# of Impacted Call Types
Non-Criminal	FBI Part II Crimes	7
Serious Violent Felony	Traffic, Property Crimes (FBI Part I, FBI Part II Crimes)	10
Non-Violent Felony	Investigative/Operational	1
Misdemeanor	Traffic, Informational or Administrative	4

Of the 22 call types, 7 (31.8 percent) were assigned to NICJR’s Non-Criminal Category whereas the Auditor classified the same 7 as FBI Part II Crimes. For example, *family disturbance* is classified by the Auditor as an FBI Part II Crime while NICJR places it in the Non-Criminal Category. The largest source of variance between

<sup>1</sup> Figure excludes null or missing values in the dataset.

<sup>2</sup> There is a discrepancy in the number of call types evaluated by the Auditor versus NICJR. The Auditor evaluated approximately 130 CFS types; NICJR, 183. Part of this discrepancy is due to the fact that the Auditor and NICJR reviewed slightly different data sets. Additionally, NICJR reviewed all CAD data while the Auditor only reviewed those CFS resulting in a sworn response.

NICJR's Non-Criminal Category and the Auditor's classifications relates to the call type disturbance, which the Auditor classifies as an FBI Part II Crime while NICJR categorizes it as Non-Criminal. The *disturbance* call type accounted for nearly 10 percent of the 360,242 CFS reviewed in the Auditor's analysis.

Four out of the 22 (18.1 percent) differing call types were assigned to NICJR's Misdemeanor Category while the Auditor assigned them as Traffic and Informational or Administrative. These call types include *reckless driver*, *hit and run with injuries*, and *exhibition of speed*. Both *reckless driver* and *hit and run with injuries* were assigned as Traffic by the Auditor while NICJR assigns them as Misdemeanors. *Property Damage* was classified by the City Auditor as Informational or Administrative. NICJR classifies this call type as a Misdemeanor.

One out of the 22 (4.5 percent) differing call types, lo jack stolen vehicle, was assigned to NICJR's Non-Violent Felony Category while the Auditor assigned it as Investigative or Operational.

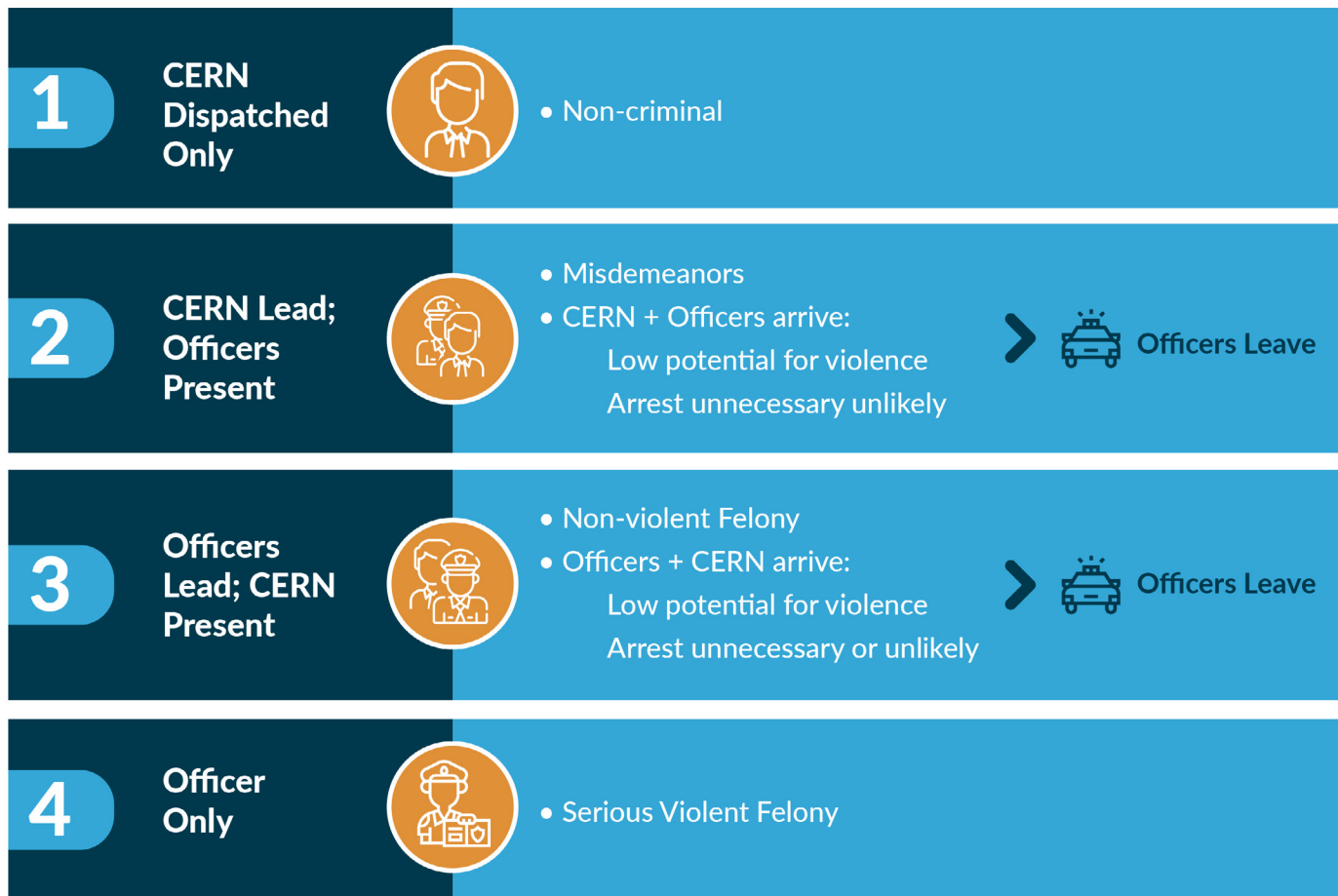
A final source of the variation in call type categorization between the Auditor and NICJR stems from NICJR's Serious Violent Felony assignment. The auditor used FBI UCR categories while NICJR used the California Penal Code to determine the penalty associated with the qualifying offense. Ten out of the 22 (45.4 percent) differing call types were assigned to NICJR's Serious Violent Felony Category. Out of the total 360,242 calls for service analyzed, NICJR classified 2.9 percent in the Serious Violent Felony Category. The Auditor only classified 0.7 percent of CFS in its Violent Felony Category. The variance is due to the fact that 9 call types classified by the Auditor as Traffic, Property Crime (FBI Part I), and FBI Part II Crimes fall into NICJR's Serious Violent Felony Category. This scenario is illustrated by the call types *hit and run with injuries* and *vehicle pursuit*. Both are classified by the Auditor as Traffic. NICJR classifies both calls in its Serious Violent Felony Category. Another example is arson, which is classified by the Auditor as Property Crime (Part I) while NICJR classifies arson as a Serious Violent Felony. Other call types generating this variance include battery, bomb threats, kidnapping, spousal or domestic abuse, child abuse, and sexual molestation.

The complete crosswalk is provided as [Appendix A](#).

# NICJR CERN CATEGORIZATION

In our work to Reimagine Public Safety and transform policing, NICJR has developed a tiered dispatch system to provide alternatives to police response to CFS, increase public safety, and improve the quality of emergency response.<sup>3</sup> This model includes the CERN, which builds upon NICJR's CFS classification structure.

Once each call type is associated with one of NICJR's four CFS Categories, they are given a default assignment on the Tiered Dispatch depicted in Figure 4:



The Tiered Dispatch assignments for the 2015-2019 BPD CFS analyzed are outlined below.

**Table 4. Tiered Dispatch Default Assignment Table**

Crime Category	CERN	BPD	% of Call Types	# of Call Types in Each Tier
Tier 1	Only		50%	92
Tier 2	Lead	Present	14%	25
Tier 3	Present	Lead	9%	16
Tier 4		Only	27%	50

## Default Tier Assignment Modified Based on Arrest Data and Other Factors

### A. Arrest Rates

Subsequent to the default classification, NICJR examines arrest data to determine if adjustments to default Tier assignments are warranted. Most typically, this results in CFS “moving up” a Tier based on the likelihood of arrest. The arrest analysis includes the identification of the overall jurisdiction arrest rate, as well as the high-end of that rate, below which the vast majority of CFS arrest rates fall. For Berkeley, 10 percent was set as the arrest rate triggering Tier assignment review; only 6 of 91 CFS that resulted in an arrest had an arrest rate in excess of 10 percent in the years 2015 to 2019. Call types with arrest rates that significantly exceed the triggering arrest rate generally moved to higher Tiers. For example, the Non-Criminal CFS *warrant service* was moved from Tier 1 to Tier 4 based on arrest rate data.

**Table 5. CFS CERN Tier Assignments After Arrest Review**

Crime Category	CERN	BPD	% of Call Types	# of Call Types in Each Tier
Tier 1	Only		50%	91
Tier 2	Lead	Present	13%	24
Tier 3	Present	Lead	9%	16
Tier 4		Only	28%	52

### B. Alternate Response Warranted

Beyond arrest data, CERN Tier assignment is modified based on NICJR’s assessment of call types that would benefit from an alternate response. Some Serious Violent Felony call types typically move from Tier 4 to Tier 3 pursuant to this aspect of the analysis, in order to allow for a CERN response with an officer leading. For example, the call type *assault, gang related* has been downgraded from a Tier 4 to a Tier 3 in order to allow the CERN to assist officers involved. Warrants have similarly been downgraded from a Tier 4 to a Tier 3 with this rationale in mind. These call types would be led by police only, but members of the CERN would be present to provide family members with information and support. Conversely, some call types have been moved from lower to higher Tiers as a result of this aspect of the default Tier assignment modification methodology. Various events that fall under the assist call type, for example, are allocated to Tier 4 even though these CFS are Non-Criminal in nature. The rationale here is that if the BPD is being asked to assist another law enforcement

agency, for example, a BPD response is required. Additionally, traffic-related calls are in Tier 3 or 4 due to current state law requiring sworn officers, but in the event that state law is amended as envisioned in some of the discussion related to BerkDOT, the calls would move to Tier 1. Appendix D includes calculations of calls and expenses with traffic calls shifted to Tier 1.

**Table 6. CFS CERN Tier Assignments After Alternate Response Review**

Crime Category	CERN	BPD	% of Call Types	# of Call Types in Each Tier
Tier 1	Only		50%	92
Tier 2	Lead	Present	10%	19
Tier 3	Present	Lead	18%	33
Tier 4		Only	21%	39

Based on NICJR's analysis, and as reflected in Table 6, 50 percent of BPD CFS could be handled by a community-response, only. A detailed breakdown of Berkeley CFS by CERN Tiers can be found in [Appendix B](#).

# FISCAL IMPLICATIONS OF CERN ASSIGNMENT

A major driver of the police reform conversation has been the desire to shift resources from traditional law enforcement to alternative, more appropriate, responses for specific types of calls for service. As Table 6 illustrates, the City can realistically expect to divert nearly 50 percent of call types from the BPD to an alternate response that requires no law enforcement involvement. In order to understand the potential fiscal impact of the adoption of this type of alternate response model, various analyses of the BPD budget were conducted.

As outlined in Table 7, the BPD budget grew from approximately \$61 million to \$69 million during the period of CFS review, reflecting a nearly 15 percent increase; CFS remained steady during the same period, experiencing a slight decline of approximately 4 percent. The Police Operations Division budget, which houses costs associated with Patrol, comprised between 52 and 60 percent of the Department’s budget during the review period; Patrol is responsible for responding to CFS in the City of Berkeley.

**Table 7. BPD and Patrol Operations Division Budget, 2015-2019**

	FY15	FY16	FY17	FY18	FY19
<b>Total Budget</b>	\$60,832,054	\$63,115,430	\$66,428,530	\$66,351,534	\$69,567,103
<b>General Fund (GF)</b>	\$57,057,838	\$59,074,465	\$62,156,096	\$62,628,518	\$65,493,664
<b>Police Operations (OPS) Division</b>	\$34,781,350	\$37,050,106	\$39,867,224	\$39,673,087	\$36,284,878
<b>OPS Division % of Total Budget</b>	57.2%	58.7%	60.0%	59.8%	52.2%

In order to determine the proportion of Operations Division expenses that are directly attributable to responding to CFS, NICJR undertook several analyses:

Calculating Officer Time:

- **Responding to CFS: On-Scene to Close.** The time between when an officer arrives on-scene to a particular CFS and closes the call. This time frame is used to measure the actual time officers spend on calls for service. This calculation does not include travel time; the time officers take to write incident reports is only accounted for if the officer does this before a particular CFS is closed.
- **Responding to CFS: Event Creation to Close.** The time between when a call comes in and is created in the Computer Aided Dispatch (CAD) system and when an officer closes the call. This time period is used to capture the total amount of time from when a caller calls into the Communications Center to when an officer closes the call, accounting for the totality of time it takes to complete a CFS.
- **Officer Time.** Under either the On-Scene to Close or Event Creation to Close approaches, officer time is calculated based on the number of responding officers to a unique call multiplied by the amount of time spent on the call.

### Identifying Median Officer Hourly Rates:

- Median hourly rates were generated from the City of Berkeley's **Salary List** for benefited employees. The minimum salary (step 1) in that schedule is \$49.73/hr and the maximum, (step 7), \$61.90/hr. The median salary is \$56.24 (step 4).

### Applying Applicable Overhead Rate to Median Officer Hourly Rate:

- As of the City's 2021 **Benefits and Compensation Matrix**, this rate was 110 percent.

The results of this analysis are provided in Table 8.

**Table 8. Cost of Responding to CFS: On-Scene to Close and Create to Close**

Officer Costs Associated with Responding to CFS: On-Scene to Close	
Total Hours 2015 - 2019, CERN Tier 1 Calls (BPD Response Hours)	98,119
Total Hours 2015-2019, All other CERN Tiers (BPD Response Hours)	89,525
<b>Median BPD Officer Salary</b>	\$56.24
<b>BPD Officer Salary Range</b>	\$49.73 - \$61.90
<b>Berkeley Composite Fringe Benefit Rate</b>	110%
Calculation of CERN Tier 1 Costs (# of hours * Median Salary * Benefit Rate)	\$11,587,854
Calculation of All other CERN Tier Costs (# of hours * Median Salary * Benefit Rate)	\$10,572,903
<b>Average Annual CERN Tier 1 Officer Costs, On-Scene to Close</b>	<b>\$2,317,571</b>
<b>Average Annual Officer Costs Tiers 2-4</b>	<b>\$2,114,581</b>

Officer Costs Associated with Responding to CFS: Create to Close	
Total Hours 2015 - 2019, CERN Tier 1 Calls (BPD Response Hours)	266,832
Total Hours 2015-2019, All other CERN Tiers (BPD Response Hours)	367,422
<b>Median BPD Officer Salary</b>	\$56.24
<b>BPD Officer Salary Range</b>	\$49.73 - \$61.90
<b>Berkeley Composite Fringe Benefit Rate</b>	110%
Calculation of CERN Tier 1 Costs (# of hours * Median Salary * Benefit Rate)	\$31,512,859
Calculation of All other CERN Tier Costs (# of hours * Median Salary * Benefit Rate)	\$43,392,538
<b>Average Annual CERN Tier 1 Officer Costs, Create to Close</b>	<b>\$6,302,572</b>
<b>Average Annual Officer Costs Tiers 2-4</b>	<b>\$8,678,508</b>

\*Note: Berkeley PD salaries used for this analysis are based on the MOU which expired June 30, 2021. A new MOU has resulted in a salary increase not reflected in this report.

Depending on the officer time calculation used, and using 2019 budget data alone, the costs associated with responding to Tier 1 CFS range from between **approximately 7 (On-Scene to Close) and 19 (Create to**



**Close)** percent of the Police Operations Division budget, and **4 and 10** percent of the total BPD budget. Costs associated with responding to CFS Tiers 2-4 comprise between approximately **5 (On-Scene to Close) and 23 (Create to Close)** percent of the Police Operations Division budget and **3 and 12** percent of the total BPD budget.

**Table 9. Tier 1 CFS as % of Operations Division and BPD Overall Budget**

Implementation converts the estimated number of officer hours saved into FTEs as reflected in Table 10 on the following page.

**Table 10. CFS FTE Analysis**

CERN Tier	Total Hours (Create to Close) (Avg Annual)	Average Hours <sup>4</sup> , 1 FTE Officer	Estimated # of FTE Per Tier
1	53,366	2080	25.7
2	24,012	2080	11.5
3	32,331	2080	15.5
4	17,140	2080	8.2

Redirection of Tier 1 CFS to a CERN would thus generate approximately \$6.8 million in annual BPD savings annually, equating to slightly less than 26 FTE.

<sup>4</sup> 2080 is the standard number of working hours per year for a full-time equivalent position; BPD actual annual hours/FTE may vary.

# BUILDING THE ALTERNATIVE RESPONSE INFRASTRUCTURE

In order to facilitate the development of Berkeley’s own alternate response network or CERN, NICJR further analyzed the 92 CFS in CERN Tier 1. Although an alternate response is also contemplated in response to CFS in Tiers 2 and 3, as the CFS category which contemplates no corresponding police response, Tier 1, is an appropriate focal point for initial alternate response analyses.

To facilitate this assessment, Tier 1 CFS were divided into 11 topical/activity- based sub-categories as outlined in Table 11.

**Table 11. CERN Sub-Category**

CERN Category	Definition	Example Call Type(s)
Administrative	Calls that involve administrative duties	subpoena service; VIN verification; information bulletins, test call, report writing
Alarm	Calls that involve activation of alarms	residential alarm, commercial alarm, bank alarm, audible alarm, GPS alarm
Animal	Calls that involve animals	stray animals, barking dogs, cat in a tree
Investigation	Calls that require some form of investigation to ensure all is in order	investigating an open door, residential welfare checks, business premise checks, follow up on previous crime to collect evidence (witness statements, video footage, etc.)
Medical or Mental Health	Calls that require or involve medical or mental health assistance	mutual aid medical support, gunshot victim, suicide, 5150 transport
Municipal	Calls that involve municipal issues	fall on city property; COVID-related violations; BPC violations - signage, lighting, etc.; sidewalk regulations
Other	Call types that do not fit into any of the other CERN categories	create new call; no longer used, wireless 911 call got dropped
Public Order	Calls that interfere with the normal flow of society	demonstrations, civil unrest
Quality of Life	Calls that create physical disorder or reflect social decay	loitering (homeless), panhandling, noise, trash/dumping, urinating in public

CERN Category	Definition	Example Call Type(s)
Substance Use	Calls that involve substance use	open air drug use and distribution, overdose related, down and out, public intoxication
Traffic	Calls that involve traffic or vehicle related concerns	abandoned vehicles

## Leveraging Existing and Planned City Resources and Ideas from New and Emerging Models Report

### CERN Team Types

The Community Emergency Response Network may need to have different types of teams that respond to certain calls.

- **SCU:** Respond to Mental Health & Drug issue calls
- **Mediation Team:** Respond to Disturbance and Noise calls
  - Possibly include specialists in Family Disturbance calls
- **Report Takers/Technicians:** Take crime reports
  - Specialists for evidence collection as the City has now
- **Outreach:** Respond to non-MH homeless calls, welfare checks, etc.
- **BerkDOT:** Respond to traffic calls
  - Including technology

In an effort to identify existing and planned resources by Tier 1 Category, NICJR reviewed:

- The list of City-funded community-based organizations (CBOs) provided in the City Manager’s Proposed Annual Budget Fiscal Year 2022, submitted to the City Council on May 25, 2021
- City Boards, Commissions, and Departments, as identified on the City’s website
- Relevant examples of potential programs or approaches as provided in the [New and Emerging Models of Community Safety and Policing Report](#)
- Other relevant local CBOs/resources

Table 12, which can be found on the next several pages, summarizes the results of NICJR’s services scan; a list of the specific CBOs identified by Tier 1 sub-category can be found in [Appendix C](#). A detailed description of each Table 12 organizing category follows.

**Table 12. CERN Build Out: CBO's, City Departments, Other Resources**

CERN Category	Call Type(s)	Existing City-Contracted CBOs	Existing City Departments	Planned City Resources	Other Relevant Resources	Potential Oversight Commission/Board	Innovations, New and Emerging
<b>Administrative</b>	subpoena service; VIN verification; information bulletins, test call, report writing			BerkDOT (VIN verification)	Private subpoena servers		
<b>Alarm</b>	residential alarm, commercial alarm, bank alarm, audible alarm, GPS alarm	The Downtown Berkeley Association/ Downtown Ambassadors Street Team provides alarm assistance services			UCPD Community Service Officers provides alarm assistance services		
<b>Animal</b>	stray animals, barking dogs, cat in a tree etc.	Animal Rescue	City Manager's Office: Berkeley Animal Care Services			Animal Care Commission	

CERN Category	Call Type(s)	Existing City-Contracted CBOs	Existing City Departments	Planned City Resources	Other Relevant Resources	Potential Oversight Commission/Board	Innovations, New and Emerging
<b>Investigation</b>	investigating an open door, residential welfare checks, business premise checks, follow up on previous crime to collect evidence (witness statements, video footage, etc.)	Downtown Berkeley Association/ Downtown Ambassadors Street Team: investigating open doors, residential welfare checks, business premise checks			UCPD Community Service Officer (CSO) Program: investigating open doors, residential welfare checks, business premise checks		

CERN Category	Call Type(s)	Existing City-Contracted CBOs	Existing City Departments	Planned City Resources	Other Relevant Resources	Potential Oversight Commission/Board	Innovations, New and Emerging
<b>Medical or Mental Health</b>	mutual aid medical support, gunshot victim, 5150 transport, mental illness, suicide attempt, threat of suicide, mental health	4 CBOs contracted for health services; 1 CBO contracted for mental health services (Alameda County Network of Mental Health Clinics); several homeless oriented CBOs include a mental health component	Fire Department; Mental Health Division Mobile Crisis Team, and Crisis, Assessment, and Triage Team (loitering, panhandling, urinating in public); Health, Housing, and Community Services Department	SCU	Bonita House's Bridges to Recovery In-Home Outreach Team (IHOT)  Bonita House's Community Assessment & Transportation Team (CATT) program  New Bridge Foundation: drug and alcohol rehabilitation center in Berkeley, California that offers inpatient and outpatient services as well as detoxification treatment	Community Health Commission; Mental Health Commission	Crisis Response Unit (CRU), Olympia, Washington
<b>Municipal</b>	fall on city property; COVID-related violations; BPC violations - signage, lighting, etc.; sidewalk regulations		City Manager's Office: Code Enforcement, Public Works			Public Works Commission	

CERN Category	Call Type(s)	Existing City-Contracted CBOs	Existing City Departments	Planned City Resources	Other Relevant Resources	Potential Oversight Commission/Board	Innovations, New and Emerging
Other	create new call; no longer used, wireless 911 call got dropped	NA	NA	NA	NA	NA	NA
Public Order	Demonstrations, civil unrest	Downtown Berkeley Association's Safety Ambassadors Program: provides public order services/ assistance			UCPD Community Service Officer (CSO) Program: provides public order services/ assistance		
Quality of Life	loitering (homeless), panhandling, noise, trash/dumping, urinating in public	16 CBOs contracted for homeless services, approximately 50% with case management component. These resources could be leveraged to address loitering, panhandling, and public urination/intoxication complaints. Other CBOs (Eden Information and Referral as well Telegraph Business Improvement District) assist with quality of life calls as well.  Downtown Berkeley Association's Safety Ambassadors Program: all Quality of Life CFS	Mental Health Division, Mobile Crisis, and Crisis, Assessment, and Triage Team (loitering, panhandling, urinating in public); City Manager's Office: Code Enforcement (trash/dumping)		UCPD Community Service Officer (CSO) Program: all Quality of Life CFS	Homeless Commission; Human Welfare and Community Action Commission	Mayor's Action Plan (MAP) for New York City

CERN Category	Call Type(s)	Existing City-Contracted CBOs	Existing City Departments	Planned City Resources	Other Relevant Resources	Potential Oversight Commission/Board	Innovations, New and Emerging
<b>Substance Use</b>	open air drug use and distribution, overdose related, down and out, public intoxication	1 CBO directly contracted for substance abuse services (Options Recovery Services); other homeless-oriented CBO's provide various substance abuse related services	Mental Health Division Mobile Crisis Team, and Crisis, Assessment, and Triage Team (loitering, panhandling, urinating in public)		New Bridge Foundation: drug and alcohol rehabilitation center in Berkeley, California that offers inpatient and outpatient services as well as detoxification treatment  Bonita House's Bridges to Recovery In-Home Outreach Team (IHOT)  Bonita House's Community Assessment & Transportation Team (CATT) program	Health Commission, Community; Homeless Commission; Mental Health Commission	Arlington Opiate Outreach Initiative
<b>Traffic</b>	abandoned vehicles, speeding, reckless driving		City Manager's Office: Code Enforcement (abandoned vehicles)	BerkDOT		Transportation Commission	NYPD Staten Island's Motor Vehicle Accident Program



CERN Category	Call Type(s)	Existing City-Contracted CBOs	Existing City Departments	Planned City Resources	Other Relevant Resources	Potential Oversight Commission/Board	Innovations, New and Emerging
<b>Weapon</b>	person with a gun				Building Opportunities for Self-Sufficiency appears to be only City-contracted CBO with significant experience with and focus on incarcerated/ formerly incarcerated. May be a resource for this particular CFS and others in that vein.	Peace and Justice Commission	

## Existing City-Contracted Community Based Organizations

NICJR reviewed all City-contracted CBOs and, where possible, aligned CERN Tier 1 sub-categories with community-based organizations; identified organizations are those that could potentially be leveraged to build out the CERN approach. Although the City has contracts with a number of CBOs, there is a significant concentration in homeless services, with few contracted providers in many of the other CERN Tier 1 sub-categories. Where able to identify, NICJR has lifted up those CBOs working in any area that appear to be doing some type of case management or street outreach work, as well as those that have experience with a criminal justice population. These organizations are likely best positioned to serve as the starting point for the development of the CERN infrastructure. There is at least one City-contracted CBO that NICJR is aware of that engages in case management and outreach work *and* has extensive experience with justice-involved community members; that organization, Building Opportunities for Self Sufficiency (BOSS), is an obvious candidate to serve as one of the City's anchors and foundational CERN partners. BOSS is an example of a capable organization, but there are others in Berkeley as well. The City would need to conduct a Request for Proposals process to select the most appropriate service provider(s).

The Downtown Berkeley Association (DBA), an independent non-profit organization that has recently contracted with the City, provides a variety of services including but not limited to cleaning and beautification, hospital and outreach, marketing and business support, and prevention of crime and other threats to merchants.<sup>5</sup> Positions encompass hospitality workers, cleaners, social workers, and trained guards, known as Safety Ambassadors. Safety Ambassadors carry batons, pepper spray, and handcuffs and are outfitted with neon vests.

Safety Ambassadors often have backgrounds in law enforcement and are required to undergo an 8-hour general training along with additional trainings covering topics such as sexual harassment, mental illness, and de-escalation tactics. The stated objective of this program is to increase the quality of life in downtown Berkeley and ensure that any potential disturbances are curtailed.<sup>6</sup> Low-level municipal or quality of life violations, open use of illicit drugs, and threats to businesses are all addressed by the Safety Ambassadors. As such, the DBA itself may serve as an important CERN resource. However, it is important to note that many community members and organizations have expressed concerns with the enforcement-type equipment that Safety Ambassadors carry.

Lastly, the Mental Health Division's (MHD) Mobile Crisis Team provides immediate crisis intervention services for the community and supports BPD in capacities including co-responding to calls for service upon BPD request. This Team, as well as the MHD's Crisis, Assessment, and Triage Team, are obvious foundations for the SCU which is currently under development. The Mobile Crisis Team has very limited resources and available hours. At the time of this report, the Team only has two members. In Listening Sessions held with BPD officers, many expressed the need to expand the work of the Mobile Crisis Team.<sup>7</sup>

## Existing City Departments

There are a number of City Departments that are either currently deployed, or could be deployed to address CERN Tier 1 sub-categories. For example, the BPD currently partners with the Mental Health Division's Mobile Crisis Team, and the Code Enforcement Unit within the City Manager's Office is responsible for addressing illegal dumping. The roles and responsibilities of existing City Departments could be expanded to support absorption of specific Tier 1 CFS. BPD also employs civilian technicians who could be used to take reports or collect evidence in cold CFS that may not need an officer present.

<sup>5</sup> <https://www.downtownberkeley.com>

<sup>6</sup> <https://www.berkeleyside.org/wp-content/uploads/2020/09/Safety-Ambassador-Pilot-Program-2-Month-Report.pdf>

<sup>7</sup> Community members have expressed concerns about the Mobile Crisis Team's ability to properly assist with calls for service.

## Existing Berkeley Commissions, Boards and Departments

NICJR reviewed the City's Boards and Commissions to identify those that might be most appropriate for supporting the development and oversight of various components of the CERN. While ultimately the effort is likely most effectively administered by a single oversight body, the development of various components of the alternate response model may lend itself to disaggregation by topic, although an effective coordination and overall project management approach should be employed from the outset.

## Planned City Resources

The City has two significant alternative response initiatives currently underway: the Berkeley Department of Transportation (BerkDOT) and the Specialized Care Unit (SCU). While the scope of these efforts is unclear, NICJR has assigned Tier 1 sub-categories to these City-initiated alternate responses as follows:

- **BerkDOT:** All traffic CFS
- **SCU:** All mental health and drug use CFS

The following relevant excerpts from the City Manager's *Proposed Annual Budget Fiscal Year 2022* suggest that the 2021-2022 budget year is a planning period for BerkDOT, while the SCU is on more accelerated implementation timeline:

### BerkDOT

"The Public Works Department is evaluating the potential to create a Berkeley Department of Transportation to ensure a racial justice lens in traffic and parking enforcement and the development of transportation policy, programs, and infrastructure.<sup>8</sup>

- **Estimated Budget:** \$75,000
- **Description:** Develop plans for establishing a Berkeley Department of Transportation to ensure racial justice and equity in Transportation policies, programs, services, capital projects, maintenance, and enforcement. Coordinate this with the Reimagining Public Safety effort."

Current state law does not allow non-law enforcement to conduct traffic stops. Given the City's decision to establish BerkDOT, in Appendix D we have assigned all traffic CFS to CERN Tier 1.

### SCU

"The Health, Housing and Community Services Department is working with a steering committee to develop a pilot program to re-assign non-criminal police service calls to a Specialized Care Unit."<sup>9</sup>

- \$8 million is currently allocated for programs addressing community safety and crisis response.<sup>10</sup>
- Before the SCU is deployed, community safety concerns have been proposed to be addressed through:
  - Expanding prevention and outreach
    - Leverage existing teams and CBOs
    - Address basic needs (i.e., wellness checks, food, shelter)
    - Equipment and supplies

<sup>8</sup> Page 24, *Proposed Annual Budget Fiscal Year 2022*

<sup>9</sup> Page 24, *Proposed Annual Budget Fiscal Year 2022*

<sup>10</sup> [https://www.cityofberkeley.info/uploadedFiles/Clerk/Level\\_3\\_-\\_City\\_Council/FY%202022%20CM%20Proposed%20Budget%20Recommendations.pdf](https://www.cityofberkeley.info/uploadedFiles/Clerk/Level_3_-_City_Council/FY%202022%20CM%20Proposed%20Budget%20Recommendations.pdf)

- Estimated budget: \$1.2 million
- Crime prevention and data analysis to support data driven policing and identify areas of community need
  - Establish data analysis team (2 non-sworn positions)
  - Deploy Problem Oriented Policing Team (overtime)
  - Estimated budget: \$1.0 million

## Other Relevant Resources

NICJR has identified three non-City funded CBOs as potential alternate response providers related to Tier 1 sub-categories: the New Bridge Foundation (NBF); Bonita House’s Community Assessment and Transport Team (CATT) and Bridges to Recovery In-Home Outreach Team (IHOT); and the University of California’s Community Service Officer Program. Again, these are examples, the City would need to conduct a Request for Proposals process to select the most appropriate service providers.

Members of the RPSTF have compiled a master list of local community-based organizations to assist in the CERN build-out process as well. This list can be found in Appendix E.

## New Bridge Foundation

NBF was identified as a possible alternative solution by Berkeley Reimagining Public Safety Task Force Members. NBF is a residential and outpatient addiction treatment center that provides comprehensive services and has a community outreach component to their program. NBF was assigned to the Tier 1 sub-category, substance use.

## Bonita House

While Bonita House receives City funding for its Creative Wellness Center (CWC) which serves as an entry point for recovery and supportive services for people with mental health needs and co-occurring conditions, it does not currently receive financial support for its *Community Assessment and Transport Team (CATT)*; a crisis response system to get clients “to the right service at the right time”, or its *Bridges to Recovery In-Home Outreach Team (IHOT)*; a short-term outreach, engagement and linkage to community services program for individuals with severe mental illness. Both of these teams could potentially play important roles in a new alternate response network.

## University of California Police Departments (UCPD)

Most University of California Police Departments (UCPD) have some type of Community Service Officer (CSO) Program.<sup>11</sup> CSOs are uniformed, civilian personnel comprised of students that assist the UCPD in a variety of ways. They provide evening and night escorts, patrol campus buildings and residence halls, perform traffic control duties, and act as liaisons between university students and their corresponding police departments.<sup>12</sup> CSOs generally carry pepper spray and work anywhere from 10-20 hours each week. The majority of UCPD CSO Programs also employ tasers.<sup>13</sup> Some are trained to aid in cases of medical emergencies.<sup>14</sup> General security and deterrence of crime are the goals of the CSO program.<sup>15</sup>

<sup>11</sup> It’s important to note that there have been use of force concerns expressed by UC students about the UCPD CSOs. This should be taken into account by the City when allocating Tier 1 responsibilities.

<sup>12</sup> <https://www.police.ucla.edu/cso>

<sup>13</sup> <https://dailybruin.com/2006/11/28/a-closer-look-uc-campuses-exhi>

<sup>14</sup> <https://police.ucsd.edu/services/cso.html>

<sup>15</sup> <https://www.police.ucla.edu/cso/about-cso>

At UC Berkeley, the CSO Program is made up of 60 part-time students. CSOs offer the BearWalk, a night escort for all faculty and students at the University. Berkeley CSOs are also contracted to patrol residence areas and university buildings. Often, CSOs assist in special events or sports games to promote safety and security. Applicants to the CSO Program must be in good academic standing, undergo a background check, and an oral board interview as part of the hiring process.<sup>16</sup> Because the CSO program is already established in the campus area, it may make sense for the City to partner with the University to expand the responsibilities of this student-staffed community service to include for example responding to suspicious circumstances or vehicles CFS. Other example CSO activities include processing complaints and taking reports.

## New and Emerging Models

In addition to reviewing existing and planned local resources, NICJR reviewed the New and Emerging Models of Community Safety and Policing Report, to identify programs that might be appropriate for Berkeley implementation. Five initiatives were identified pursuant to this review: San Francisco's Street Crisis Response Team (SCRT); Olympia, Washington's Crisis Response Unit (CRU); Mayor's Action Plan (MAP) for New York City; The Arlington Opiate Outreach Initiative; and NYPD Staten Island's Motor Vehicle Accident Pilot Program. Seattle, Washington's new Specialized Triage Response System is also highlighted.

**The Street Crisis Response Team (SCRT)** is a pilot program administered by the Fire Department in San Francisco, California, for individuals experiencing a behavioral health crisis. SCRT Teams consist of a behavioral health specialist, peer interventionist, and a first responder who work in 12-hour shifts. 911 calls that are determined to be appropriate for the SCRT are routed to SCRT by dispatch. A team responds in an average of fifteen minutes.

The City of Olympia, Washington implemented their **Crisis Response Unit (CRU)** in April of 2019 to serve as an option for behavioral health calls for service. The CRU teams consist of mental health professionals that provide supports such as mediation, housing assistance, and referrals to additional services to their clients. Calls for service for the CRU originate from community-based service providers, the City's 911 hub, and law enforcement personnel.

**The Mayor's Action Plan (MAP)** for New York City (NYC) was launched in 2015 in fifteen NYC Housing Authority properties with high violence rates in order to foster productive dialogue between local residents and law enforcement, address physical disorganization, and bolster pro-social community bonds. MAP's focal point is NeighborhoodStat, a process that allows residents to have a say in the way NYC allocates its public safety resources. Early evaluations show a reduction in various crimes as well as increased perception of healthier neighborhoods.

**The Arlington Opiate Outreach Initiative** was established in 2015 in Arlington, Massachusetts and brings together social workers, community-based organizations, and public health clinicians housed in the Arlington Police Department in order to foster relationships with residents of the community and then connect them to treatment and supports. Individuals in the community are identified for possible treatment after frequent police encounters, prior history of drug usage, or previous hospitalization related to overdoses.

NYPD Staten Island's **Motor Vehicle Accident Pilot Program** is aimed at reducing the number of calls for service related to minor collisions. When a call for service comes in regarding a collision, dispatch will determine if the collision is minor or serious enough to merit police response. If the collision is deemed to be minor, all individuals involved in the crash will simply complete a collision report and then exchange contact information.

In partnership with the City of Seattle, NICJR produced a report analyzing the 911 response of the Seattle Police Department and suggested CFS that can be addressed by alternative community response. This analysis

<sup>16</sup> <https://ucpd.berkeley.edu/services/community-service-officer-cso-program>

was instrumental in Seattle's new commitment to a Specialized Triage Response System, a response that at full operational capacity will be able to potentially respond to 8,000 to 14,000 non-emergency calls. This new department will be receiving training from CAHOOTS and STAR staff.<sup>17</sup>

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<sup>17</sup> <https://durkan.seattle.gov/2021/07/mayor-jenny-durkan-announces-proposal-to-create-a-new-specialized-triage-response-to-provide-alternative-to-sworn-police-response/>

# COMMUNITY SURVEY

In partnership with the City of Berkeley's (City) Reimagining Public Safety Task Force and the City Manager's Office, Bright Research Group (BRG) conducted an online-based community survey (survey) in both English and Spanish between May 18 and June 15, 2021. The survey was disseminated by the City of Berkeley, the Reimagining Public Safety Task Force, community-based organizations, and other key partners. The survey was designed to gather insight into residents' perceptions and experiences in three primary areas: the Berkeley Police Department (BPD) and crisis response; priorities for reimagining public safety; and recommendations for alternative responses for calls for service. A total of 2,729 responses were collected.

# SURVEY SUMMARY

## Community Safety

While most survey respondents indicated that they view Berkeley as safe or very safe, these results were not consistent across all demographic groups. Slightly over 30 percent of respondents perceived Berkeley as safe or very safe; an additional 46.4 percent of respondents perceived Berkeley as somewhat safe. White residents were more likely to perceive Berkeley as safe or very safe; Black, Latin, Asian and Other Non-white residents were more likely to perceive Berkeley as unsafe or very unsafe.

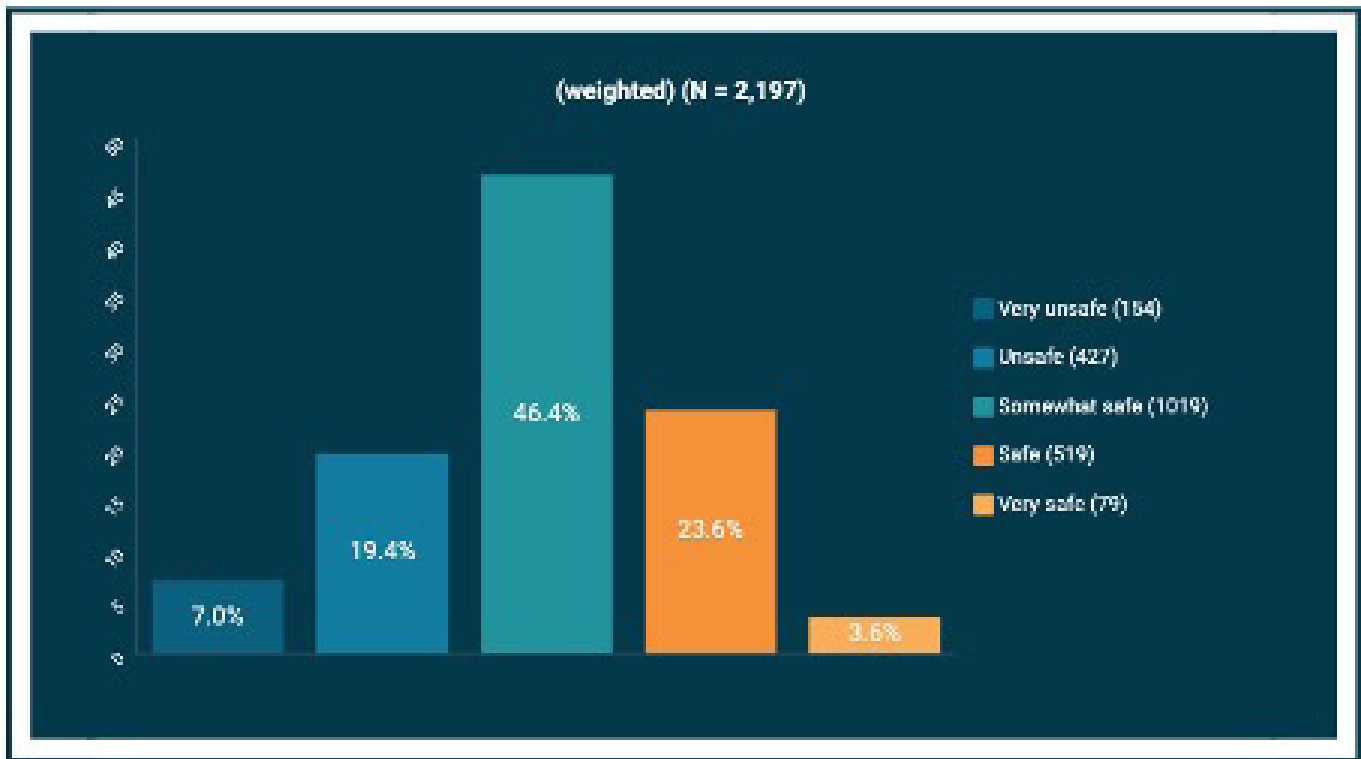


Table 12. How safe do you think Berkeley is? By race and ethnicity.

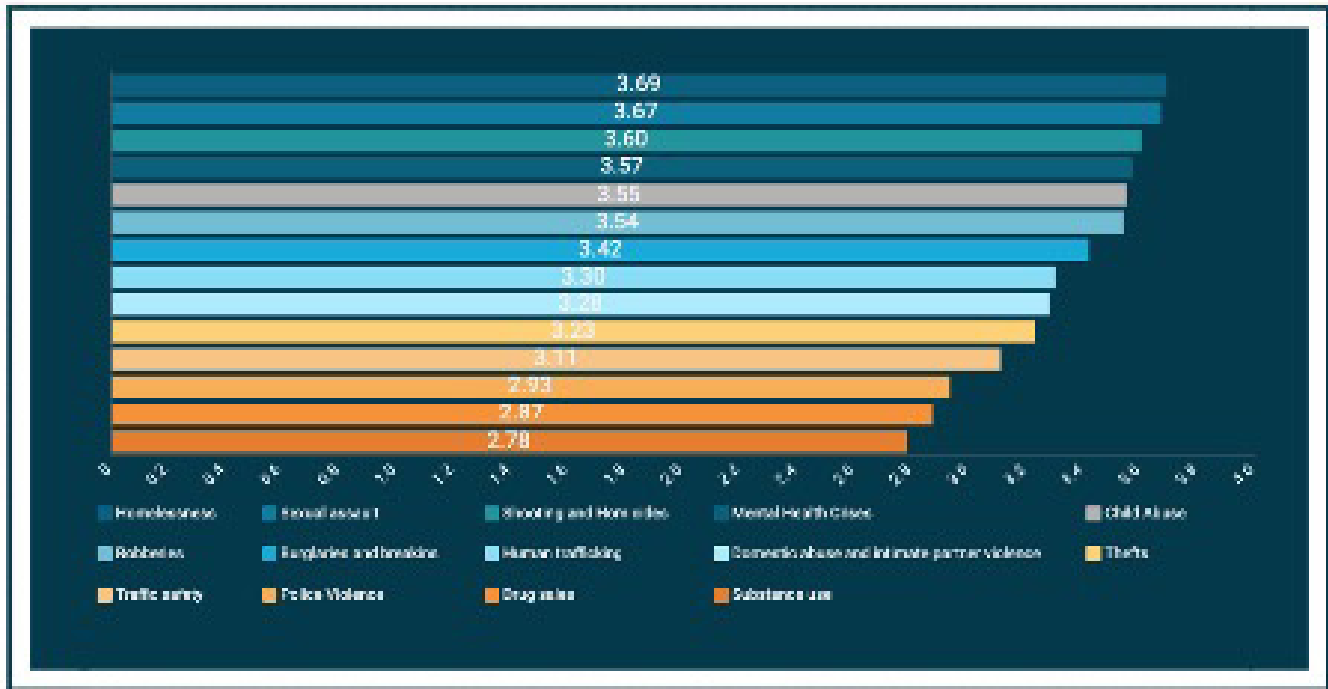
	White N = 1,622	Black N = 139	Latin N = 103	Asian N = 159	Other Nonwhite N = 168	Undisclosed N = 478
Very unsafe	4.0%	14.4%	9.7%	7.5%	15.5%	19.5%
Unsafe	14.7%	25.9%	25.2%	24.5%	23.2%	34.9%
Somewhat safe	50.5%	36.0%	46.4%	45.3%	46.4%	33.1%
Safe	26.2%	22.3%	13.1%	20.8%	13.1%	10.0%
Very safe	4.6%	1.4%	1.8%	1.9%	1.8%	2.5%



## Key Public Safety Concerns

Survey respondents ranked homelessness and sexual assault as the most important public safety concerns. These were followed by shootings and homicides and mental health crises. The lowest priorities were substance use, drug sales, and police violence.

**Figure 6. How important are the following issues to community health and safety in Berkeley to you? (weighted)<sup>18</sup>**



Nearly half of survey respondents reported experiencing street harassment, and 41 percent reported being the victim of a crime. Black survey respondents reported experiencing higher rates of mental health crisis, homelessness, and family victimization, as well as police harassment and arrest, than did other survey respondents.

Patterns in priorities for safety were consistent across race and ethnicity, except for survey respondents with an undisclosed race and ethnicity.

When assessing the findings on priorities of Berkeley residents for community health and safety, survey respondents ranked investments in mental health, homeless and violence prevention services highest. There are differences along race and ethnicity for investment priorities, with White respondents rating all listed programs higher overall. Black respondents were also rated an investment in mental health services higher in comparison to other prevention services.

<sup>18</sup> 4: very important; 3: important; 2: somewhat important; 1: not important

Figure 7. How important is it to you for the City of Berkeley to invest in each of these programs and services to ensure a public safety system that works for all? (weighted)<sup>19</sup>

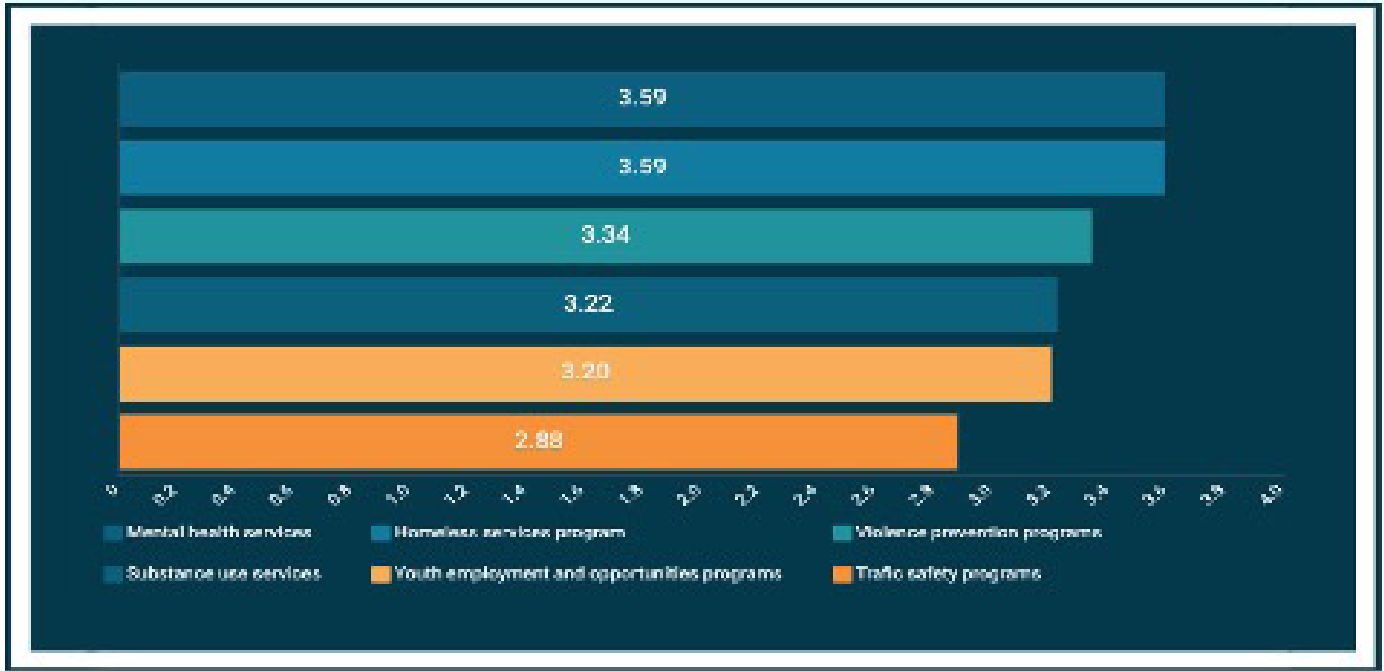


Table 13. How important is it to you for the City of Berkeley to invest in each of these programs and services to ensure a public safety system that works for all? By race and ethnicity.<sup>20</sup>

	White N = 1,599	Black N = 136	Latin N = 103	Asian N = 154	Other Nonwhite N = 167	Undisclosed N = 462
Not important at all	6.8%	8.8%	4.9%	5.2%	10.2%	5.2%
Somewhat Important	36.3%	36.0%	41.7%	43.5%	30.5%	35.9%
Important	43.4%	27.2%	32.0%	35.1%	39.5%	34.0%
Very Important	13.4%	27.9%	21.4%	16.2%	19.8%	24.9%

### Views on the Berkeley Police Department

A majority of respondents (53.3 percent) perceived the BPD as being effective or very effective. Only 6.7 percent of respondents perceived BPD as being not effective at all. Nonwhite respondents were more likely to indicate that BPD is not effective at all, while White respondents were more likely to indicate that BPD is effective.

<sup>19</sup> 4: very important; 3: important; 2: somewhat important; 1: not important

<sup>20</sup> 4: very important; 3: important; 2: somewhat important; 1: not important

When assessing experiences of residents when contact is made with BPD, survey results found that almost 75 percent of respondents who indicated they've had contact with BPD indicated their experience was positive or very positive, while Black and Asian residents were more likely to report negative experiences with BPD.

**Table 14. When it comes to public safety, how effective is the Berkeley Police Department? By race and ethnicity.**

	White N = 1,599	Black N = 136	Latin N = 103	Asian N = 154	Other Nonwhite N = 167	Undisclosed N = 462
Not effective at all	6.8%	8.8%	4.9%	5.2%	10.2%	5.2%
Somewhat effective	36.3%	36.0%	41.7%	43.5%	30.5%	35.9%
Effective	43.4%	27.2%	32.0%	35.1%	39.5%	34.0%
Very effective	13.4%	27.9%	21.4%	16.2%	19.8%	24.9%

### Views on Alternative Responses to Calls for Service

A large majority of survey respondents (81 percent) among all racial and ethnic groups indicated a preference for trained mental health providers to respond to calls related to mental health and substance use, with most also indicating that police should be available to support a response to those calls if needed.

An even greater percentage (83.6 percent) of survey respondents indicated a preference for homeless services providers to respond to calls related to homelessness, with police present when necessary.

**Figure 8: Who should respond to calls related to mental health and substance use?**

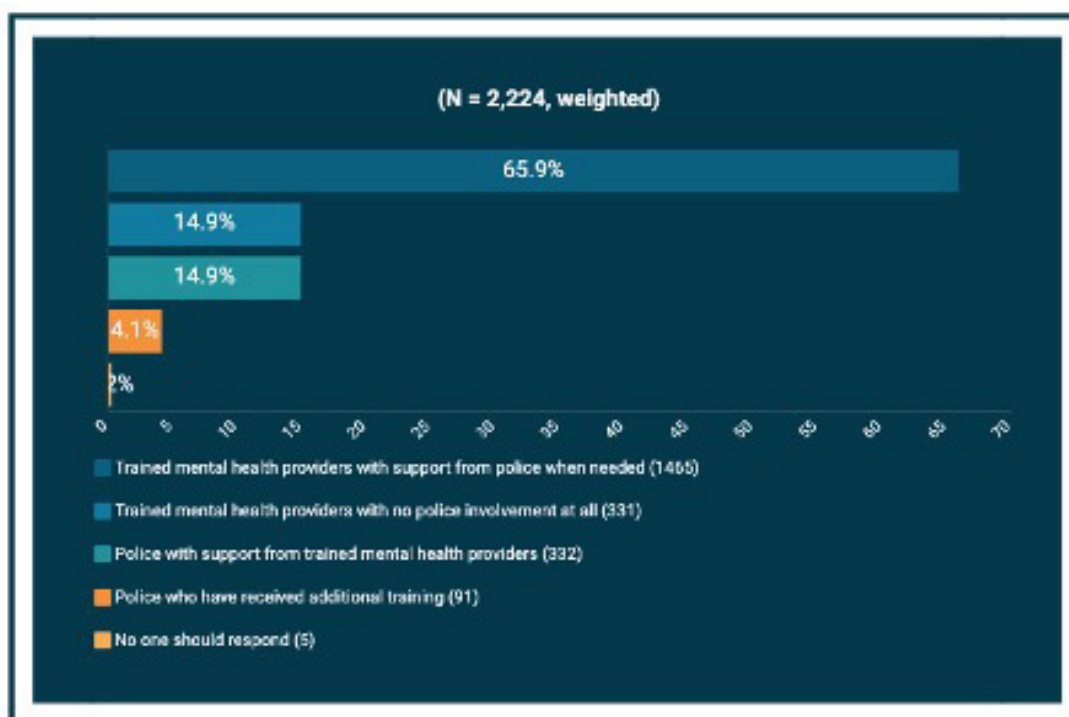
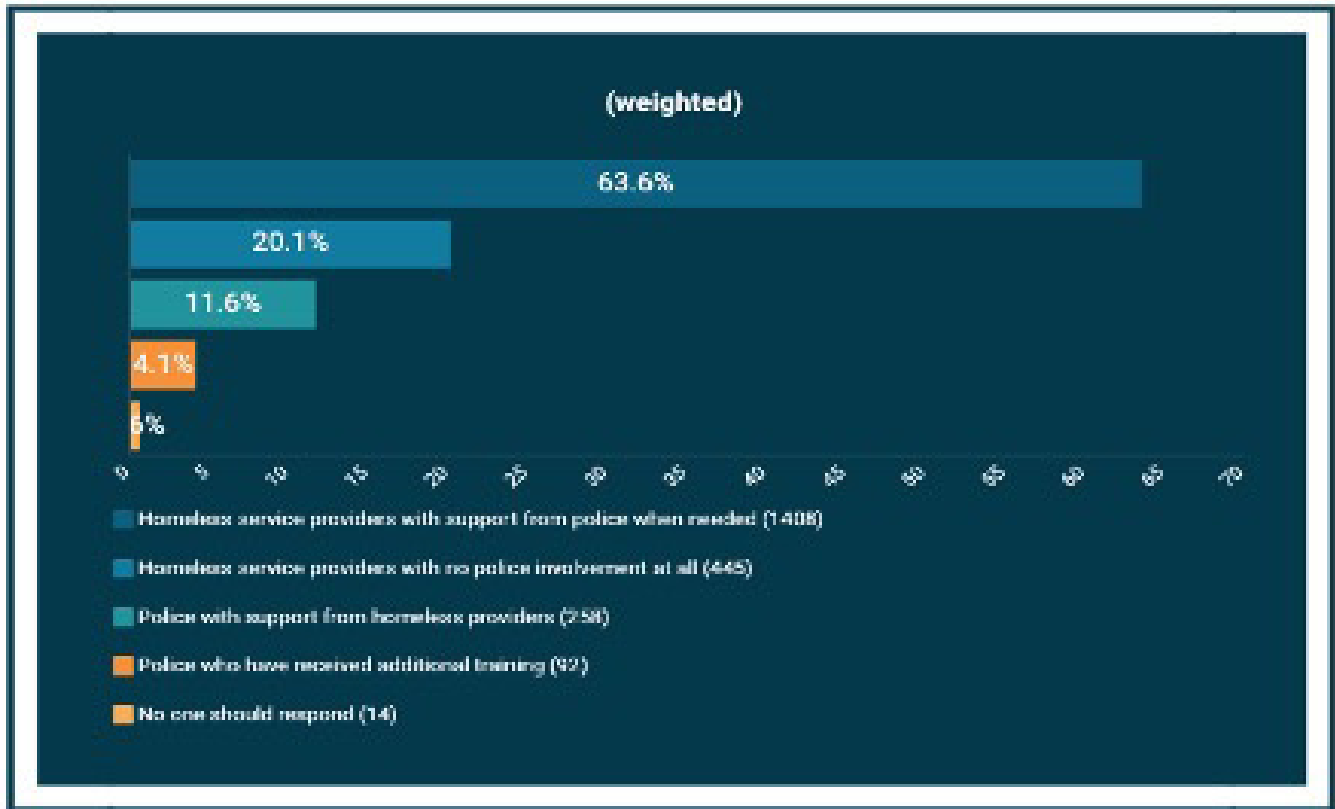


Figure 9. Who should respond to calls related to homelessness?



### Focus Group Feedback

In collaboration with NICJR, Bright Research Group facilitated a series of focus groups to gather data on community sentiment regarding the current state of public safety, the role of the Berkeley Police Department (BPD), and the future of public safety. Outreach to Black, Latino, system-impacted, and unstable housed/food-insecure residents was facilitated by the McGee Avenue Baptist Church, Center for Food, Faith, and Justice, and the Berkeley Underground Scholars. Researchers conducted four focus groups comprised of 55 individuals.

Youth under the age of 18 and Latino residents are underrepresented in the focus groups. The qualitative data collected is also not necessarily representative of Black, Latino, formerly incarcerated, or housing-insecure residents.

Table 15. Focus Group Participants

Focus Group Description	Number of Participants
Black Residents	18
Housing- / Food-Insecure Residents	27
Black and Latin Youth	4
Justice-System-Impacted Students	6
<b>Total Stakeholders</b>	<b>55</b>

Focus group participants shared concerns regarding gang involvement, racism, and the availability of guns in Berkeley. Black and Latino youth and Justice-System-Impacted students expressed significant concerns about their personal safety and police violence. Participants identified homelessness and the housing crisis as critical public health and safety issues. Black residents, housing-insecure residents, and system-impacted individuals all expressed distrust in the City government. Black residents, youth, system-impacted students, and low-income residents also expressed that policing in Berkeley allows for race and income-related profiling. Focus group participants also stated that police resources are mismanaged.

Diverse perspectives were collected regarding the future role of BPD. Youth would like police officers who are part of the community and interact positively with young people. Participants who discussed divestment from police recommended investment in trained peacekeepers and community safety patrols as alternatives.

With regard to mental health crises and homelessness, focus group participants across demographic groups suggested that clinicians and social workers play a role in interventions. Focus group participants expressed broad support for the power of community-driven crime prevention strategies and expressed trust in community-based and faith-based organizations; conversely, there was some suspicion expressed regarding the idea that BPD functions would simply be performed by another government agency.

# PROPOSAL: TIERED DISPATCH SYSTEM

Based on the information and analysis described above, and in accordance with City Council ordinances and the Berkeley Reimagining Public Safety Process, NICJR and its team recommends that Berkeley initiate a phased implementation of a Tiered Dispatch system, reflecting the CERN framework described above, and tailored to the needs of the City.

The Tiered Dispatch model contemplates diverting a substantial portion of calls for service that are currently handled by BPD sworn officers to a newly-established CERN that leads with a non-law-enforcement response. This diversion includes “Tier 1” responses, which do not include dispatch of law enforcement officers (at least at the outset), and “Tier 2” responses, which are led by alternative responders but include presence of officers as a precaution. The model also includes non-law-enforcement participation in “Tier 3” responses that are led by sworn officers.

The CERN – which should be robust, structured, and well-trained – will have radio connection directly into BPD dispatch in order to be able to call for an officer if needed. On Tier 2 responses, the alternative responders leading the team will determine the necessity for active engagement of the on-site officers. During the pilot phase, the frequency of active police assistance can be assessed and certain call types can be moved to different tiers based on the assessment.

Our analysis of call-for-service data indicates that over 80 percent of the calls are for non-criminal matters (see Fig. 3, above). A substantial subset of these calls can be handled as Tier 1 and Tier 2 responses, led by alternative responders.

Alternative responders may include: non-governmental entities, including community-based organizations retained by the City through service contracts; City employees, who are staff of departments other than BPD; and/or BPD employees who are not sworn officers. Each arrangement presents a variety of benefits and challenges, and different approaches can be adopted for different elements of the Tiered Dispatch program. The new BerkDOT and the SCU may be integrated as appropriate, as these new arms of City government get off the ground. These decisions can be made during the phased implementation described below.

Alternative responses should be piloted and scaled after proven effective. As the Tiered Response system is built out, BPD budget needs will be reduced, and more funds should be available to support alternative responses, whether performed by City staff or community-based organizations under contract with the City.

Development and implementation of the Tiered Dispatch advances the Berkeley City Council’s July 14, 2020, direction “to evaluate initiatives and reforms that reduce the footprint of the Police Department and limit the Police’s scope of work primarily to violent and criminal matters.”<sup>21</sup> In addition, phased implementation of the Tiered Dispatch model would reflect substantial public and community sentiment expressed in the surveys described above, and in Task Force discussions to date. Finally, the model builds on innovative best practices being advanced in various cities around the country; Berkeley can learn from initial experiences in this rapidly-changing field, and develop an approach suitable to the City’s needs.

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<sup>21</sup> Berkeley City Council, Omnibus Motion on Public Safety Items (Council Agenda Items 18a-e, Recommendation #2), approved July 14, 2020.

## Implementation of Tiered Dispatch System

As described above, we recommend that the Tiered Dispatch system be implemented on a phased basis over time, commencing with a pilot program. This will enable assessment for efficacy; give time for administrative, employment, and contracting structures to be put in place; and allow for thorough and focused program development. NICJR will provide detail on a proposed implementation plan in its final report, but includes some initial thoughts at this stage for public consideration.

### Pilot Program

As a first step, we recommend establishment of an Alternative Response Pilot Program, focused on a subset of the “Tier 1” calls. The following subset of BPD call types can be used in the pilot phase in order to work out logistical and practical challenges.

**Table 16. Tier 1 Subset of Call Types**

	2015	2016	2017	2018	2019
Abandoned Vehicle	403	449	481	476	496
Disturbance	6741	6955	7447	7540	6709
Found Property	900	914	888	779	726
Injury Accident Report	-	-	-	31	29
Inoperable Vehicle	-	-	-	1	6
Lost Property	16	16	17	15	14
Noise Disturbance	3359	3307	3239	3158	2709
Non-Injury Accident	561	617	571	564	492
Suspicious Circumstances	2586	2354	2254	2184	2041
Suspicious Person	1628	1698	1756	1653	1479
Suspicious Vehicle	1560	1687	1626	1385	1448
Vehicle Blocking Driveway	-	-	-	345	953
Vehicle Blocking Sidewalk	-	-	-	15	45
Vehicle Double Parking	-	-	-	6	14
<b>Total</b>	<b>17754</b>	<b>17997</b>	<b>18279</b>	<b>18152</b>	<b>17161</b>

Once the pilot has been initiated then we recommend the following steps:

1. Assess the pilot program, including response times, resolution of emergency, how often officers are being requested to the scene by the CERN, and other measures;
2. Evaluate administrative, budget, and staffing implications from the transfer of services;
3. Expand additional alternative response programs, over time, to achieve City Council’s direction of concentrating police response on violent and criminal matters;

With the implementation of alternative responses through the phased in Tiered Dispatch approach, we anticipate that a hiring freeze and natural attrition will reduce the numbers of sworn officers employed by BPD, as the alternative response system is built out. NICJR is not recommending layoffs of officers. As alternative response is implemented, BPD should concentrate its officers' efforts on serious, violent felonies, with a top priority on gun crimes. We also recommend shifting BPD resources and staff time (sworn and non-sworn) to investigations, with a focus on solving violent crimes and improving clearance rates.



# CONCLUSION

Berkeley is a relatively safe and well-resourced city. However, thefts, robberies, and incidents involving people with potential mental health and/or substance use challenges are of significant concern. By reducing BPD's focus on non-criminal and low-level CFS, the Department can improve its response, investigation, and prevention of more serious crime. Over time, a transition of responsibility for response to Tier 1 CFS could generate between \$2-\$6 million of annual savings to the BPD budget.<sup>22</sup> If invested in the build-out of the alternative response network, these funds would comprise a 35 percent increase in the City Manager's proposed FY22 funding level for community-based organization, or alternative City staffing. This type of targeted redirection of BPD resources would represent a significant and meaningful step in the City's efforts to reimagine public safety.

These new, reimagined ideas will take time and effort to implement successfully. Any reduction in policing services should be measured, responsible, and safe. A Final Report and Implementation Plan will be submitted to the City that includes detailed recommendations. Financial and organizational impacts and resources for implementation recommendations as well as a detailed timeline and plan for implementation will be included.

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<sup>22</sup> See Fiscal Implications section above, estimating Tier 1 savings at \$6.3 million.

# APPENDIX

Appendix A. NICJR/ Auditor Crosswalk

Appendix B. Breakdown of Berkeley CFS by CERN Tiers

Appendix C. CBOs by Tier 1 Subcategory

Appendix D. Tiered Dispatch with Traffic Calls as Tier 1

Appendix E. Master List of CBOs\*

\*Courtesy of Janny Castillo, boona cheema, and Margaret Fine

# APPENDIX J

## Community Engagement Report

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# OVERVIEW

The Reimagining Public Safety process in Berkeley includes comprehensive outreach and engagement of local community members. The National Institute for Criminal Justice Reform (NICJR) and our partners Bright Research Group (BRG), with significant support and input from the Reimagining Public Safety Taskforce, developed a multi-pronged community engagement strategy. The process included a broadly distributed survey along with a series of listening sessions designed to engage marginalized, hard to reach, or communities with high rates of police contact. With guidance from the City Manager's Office, BRG focused on four populations for listening sessions: Black, Latinx, formerly incarcerated and low-income individuals struggling with food and/or housing insecurity. The following report includes initial findings from these events and the survey.

Additional Community Engagement efforts were organized and facilitated by Task Force members with the support of NICJR in an effort to include additional marginalized populations: LatinX, those who have experienced mental health challenges, the LGBTQIA+ community, and those who have experienced partner violence. Following the initial release of the draft final report, three community wide virtual listening sessions were held to gather feedback and input from the broader Berkeley community. Information and perspectives garnered from this wide array of community engagement provide valuable information for the work of the Taskforce and the City of Berkeley moving forward.

## Berkeley Reimagining Public Safety Process Community Engagement Timeline

Community Engagement Event	Lead Entity	Date	Attendance	Status of Summary Data
BPD focus group with command staff	NICJR	May 6, 2021		In report
Community Survey	BRG	May 14, 2021	2,729	In report
Listening Session/Community meeting – focus on Black community	BRG-Pastor Smith	May 25, 2021	18	In report
BPD focus group with line staff	NICJR	June 2, 2021 & June 3, 2021		In report
Berkeley Merchant Association Focus group	NICJR - In coordination with Telegraph BA and Downtown BA	June 2, 2021	6	In report
Listening Session/Community meeting – Housing Unstable and Formerly Incarcerated (focus on POC)	BRG-Center for Faith Food and Justice	June 9, 2021	27	In report
Vulnerable Youth Listening Session (ages 13-17)	BRG-Pastor Smith	Jun 28, 2021	4	In report

Community Engagement Event	Lead Entity	Date	Attendance	Status of Summary Data
Listening Session for residents experiencing mental health challenges	NICJR - In coordination with CE TF Commissioner Fine	June 29, 2021	14	In report
BIPOC students Listening Session	BRG-Underground Scholars	Jun 30, 2021	4	In report
LGBTQ/Trans Community Listening Session	NICJR - In coordination with CE TF Commissioner Fine	July 1, 2021	0	In report
Develop Report on process and findings from Community Engagement/Outreach and Community Survey results	BRG	Jul 6, 2021		In report
Latinx Listening Session	TF Commissioner Malvido-with support from NICJR	July 8, 2021		Pending submission of notes from TF members
Latinx Listening Session Youth from Berkeley High School	TF Commissioner Malvido-with support from NICJR	no updates as of 10/25/2021		Pending submission of notes from TF members
Gender-Based Violence	Gender-Based Violence Subcommittee	8/19/2021	8 organizations represented	In report
Gender-Based Violence	Gender-Based Violence Subcommittee	9/21/2021		In report
Citywide Community Meetings: 3 virtual 1 in-person (The in-person Community Meeting was canceled due to public health/safety concerns)	NICJR/Task Force CE Subcommittee/City Mgr's office	11/10/2021 11/15/2021 11/23/2021 In-person 11/30/2021		In report
A toll free number will be available for community members to add additional feedback on the Final report	888-299-1118			Two messages have been received as of the publication of this report. Both messages left were related to procedural matters; i.e. Task Force meeting schedules and postings on the City website.

# City of Berkeley Reimagining Public Safety Survey— Summary Report

Moira DeNike, PhD., and Alice Hu-Nguyen, MSPH  
Bright Research Group | July 1, 2021

## INTRODUCTION

The City of Berkeley is developing a community safety model that reflects the needs of the community and creates increased safety for all. In collaboration with the City of Berkeley's Reimagining Public Safety Task Force and the City Manager's Office, Bright Research Group (BRG) developed and conducted a community survey to gather residents' experiences with and perceptions of the Berkeley Police Department and crisis response; their perspectives on and priorities for reimagining public safety; and recommendations for alternative responses for community safety. This report summarizes the key quantitative findings from the City of Berkeley's Reimagining Public Safety Survey.

## METHODS AND SAMPLE

A total of 2,729 responses were collected between May 18 and June 15, 2021. The City of Berkeley, the Reimagining Public Safety Task Force, community-based organizations, and other key partners disseminated the community survey through various online channels and websites to those who live, work, and study in Berkeley, in English and Spanish. Respondents completed the survey online.

Descriptive and statistical analyses were conducted. To allow for disaggregated analysis by race and ethnicity, the survey responses were recoded into six discrete race and ethnicity categories: white, Black, Latin, Asian, Other Nonwhite, and Undisclosed. For all the findings provided below in aggregate (i.e., not disaggregated by race and ethnicity), the analysis includes weighting by the race and ethnicity factors in order to correct for the disproportionate representation among some racial and ethnic groups in the sample. Cross-tabulations and a chi-square test for significance were conducted to examine the relationship between race and ethnicity and categorical survey responses. A comparison of means and an analysis of variance (ANOVA) test for significance were also used. Both of these tests look at differences across the independent variables as a whole. These tests can show whether the differences observed on the basis of race and ethnicity are different from one another in general, but cannot tell us if answers from one racial and ethnic group are specifically different from another. Given that race and ethnicity have been shown to be substantive factors associated with perceptions of community safety (Whitfield, et al., 2019), and given the limitations with respect to the representativeness of this sample, this analysis is particularly attentive to racial and ethnic differences in responses. All reported differences by race and ethnicity in the findings are statistically significant ( $p < .05$ ) for both chi-square tests and ANOVA test.

## LIMITATIONS

The survey sample was not representative of the Berkeley population with regard to race and ethnicity, sexual orientation, zip code, and age. White, older (45 years and older), women, and LGBTQ residents, as well as those who live in the 94702, 94705, and 94707 zip codes, were overrepresented in the sample. Black, Latin, Asian, male, and younger residents were underrepresented in the sample. The nonrepresentative nature of the sample should be noted when interpreting the findings from this survey. The results of this survey are likely to be biased and may not truly reflect community impressions of safety.

**See the Appendix for detailed methods and a sample profile.**



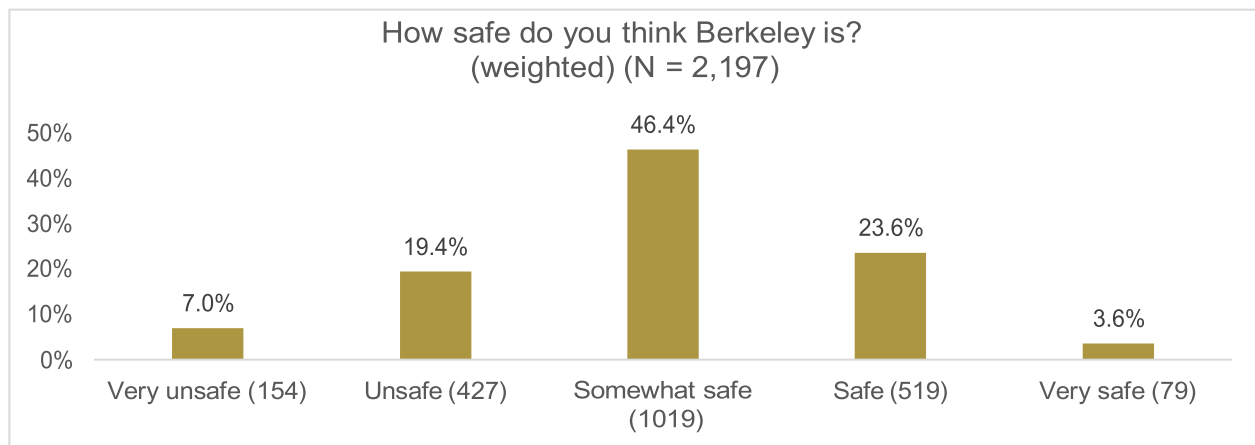
## SUMMARY OF FINDINGS

### COMMUNITY PERCEPTIONS AND PRIORITIES FOR SAFETY IN BERKELEY

#### Perceptions of Safety in Berkeley

The respondents expressed a range of perspectives regarding the safety of Berkeley, with a plurality selecting “Somewhat safe” in response to this item. Respondents who indicated they are white were more likely to perceive Berkeley as safe and very safe. Respondents who are Black or Other Nonwhite were significantly more likely to perceive Berkeley as unsafe and very unsafe. Respondents who identified as Latin and Asian were more likely than white respondents, but less likely than Black and Other Nonwhite respondents, to perceive Berkeley as unsafe and very unsafe. Unexpectedly, respondents who declined to indicate their race and ethnicity were the most likely to perceive Berkeley as unsafe and very unsafe.

It is worth noting that while Middle Eastern / North African and Native Americans each represented a small number of the respondents (42 and 33, respectively), they were substantially more likely to perceive Berkeley as unsafe and very unsafe than most other racial and ethnic groups (52% and 42%, respectively). Similarly, Pacific Islander / Native Hawaiian respondents represented a small number (N = 22) but were substantially less likely to perceive Berkeley as safe and very safe (0%), but they were not more likely to indicate it as unsafe with 60% selecting somewhat safe.



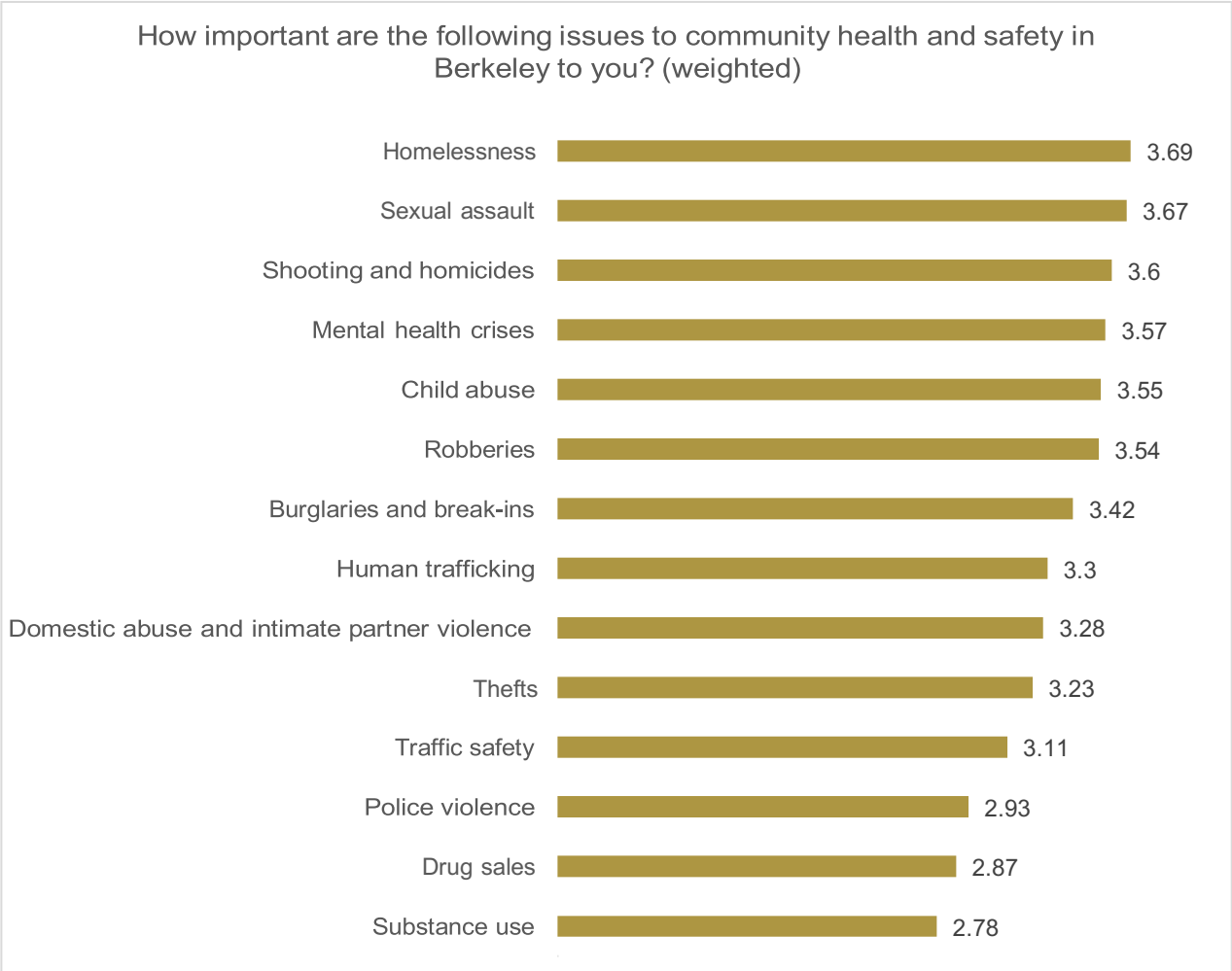
**Table 1. How safe do you think Berkeley is? By race and ethnicity.**

	<b>White</b> N = 1,622	<b>Black</b> N = 139	<b>Latin</b> N = 103	<b>Asian</b> N = 159	<b>Other Nonwhite</b> N = 168	<b>Undisclosed</b> N = 478
<b>Very unsafe</b>	4.0%	14.4%	9.7%	7.5%	15.5%	19.5%
<b>Unsafe</b>	14.7%	25.9%	25.2%	24.5%	23.2%	34.9%
<b>Somewhat safe</b>	50.5%	36.0%	46.4%	45.3%	46.4%	33.1%
<b>Safe</b>	26.2%	22.3%	13.1%	20.8%	13.1%	10.0%
<b>Very safe</b>	4.6%	1.4%	1.8%	1.9%	1.8%	2.5%

### Resident Priorities for Safety

Survey respondents ranked homelessness and sexual assault as the most important public safety concerns, followed by shootings and homicides and mental health crisis. Respondents ranked substance use, drug sales, and police violence as their lowest priorities.

Some responses varied on the basis of the respondents' race and ethnicity—although the differences were not large—and patterns were fairly consistent across the array of race and ethnicity groups, with the exception of the respondents with an undisclosed race and ethnicity. Notably, this group collectively rated police violence substantially lower in importance to community health and safety as compared with other groups. This group was also far more likely to indicate that theft was an important issue in Berkeley.

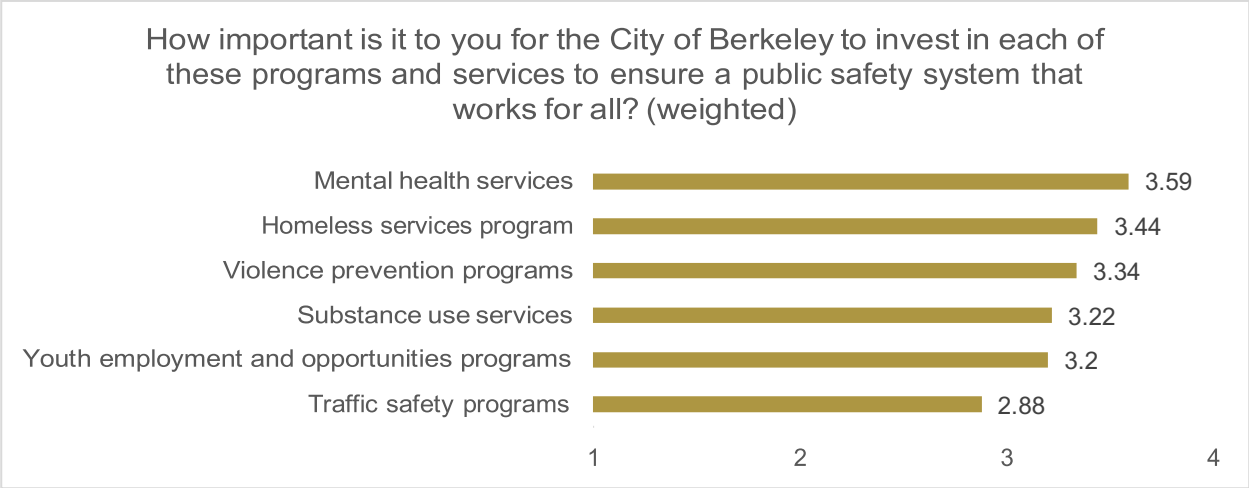


**Table 2. How important are the following issues to community health and safety in Berkeley to you? By race and ethnicity.**

	<b>White</b>	<b>Black</b>	<b>Latin</b>	<b>Asian</b>	<b>Other Nonwhite</b>	<b>Undisclosed</b>
<b>Substance use</b>	2.68	2.97	2.73	2.91	2.95	2.97
<b>Drug sales</b>	2.77	3.00	2.86	3.01	3.03	3.14
<b>Police violence</b>	3.00	2.90	2.74	2.95	2.76	2.34
<b>Traffic safety</b>	3.07	3.24	3.09	3.13	3.22	3.18
<b>Thefts</b>	3.16	3.35	3.26	3.32	3.25	3.57
<b>Domestic abuse and Intimate partner violence</b>	3.28	3.31	3.34	3.23	3.24	3.18
<b>Human trafficking</b>	3.27	3.48	3.38	3.23	3.42	3.27
<b>Burglaries and break-ins</b>	3.35	3.51	3.46	3.50	3.46	3.73
<b>Robberies</b>	3.46	3.67	3.59	3.64	3.56	3.82
<b>Child abuse</b>	3.54	3.68	3.63	3.47	3.63	3.55
<b>Mental health crises</b>	3.59	3.68	3.50	3.54	3.48	3.45
<b>Shooting and homicides</b>	3.51	3.77	3.69	3.67	3.68	3.77
<b>Sexual assault</b>	3.61	3.80	3.77	3.70	3.77	3.71
<b>Homelessness</b>	3.71	3.59	3.65	3.73	3.59	3.60

### **Priorities for Community Health and Safety**

The mean responses show the highest community support for investment in mental health services, with investment in homeless services programs and violence prevention program also rating fairly high. There are some differences along race and ethnicity in terms of investment priorities, with white respondents rating all listed program investments higher overall, and those with an undisclosed race and ethnicity rating all listed program investments lower overall. While all racial and ethnic groups rated mental health services higher than the other listed program investments, Black respondents rated it particularly high in comparison to other investment options.

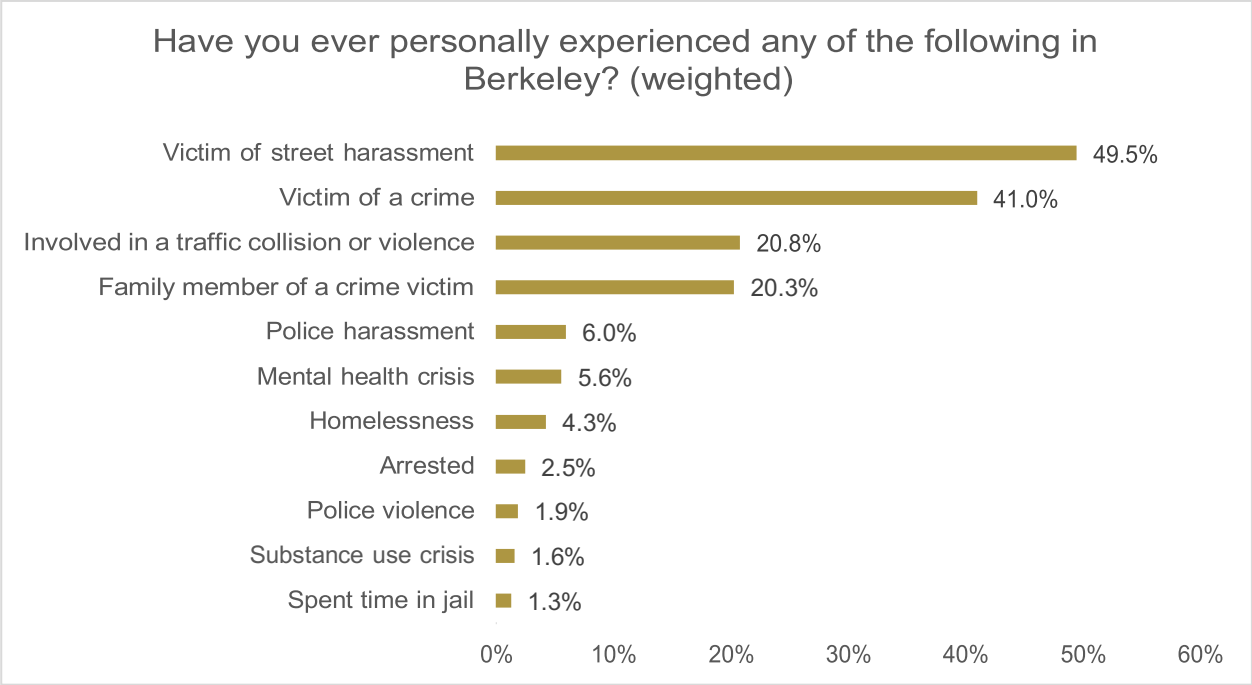


**Table 3. How important is it to you for the City of Berkeley to invest in each of these programs and services to ensure a public safety system that works for all? By race and ethnicity.**

	White	Black	Latin	Asian	Other Nonwhite	Undisclosed
<b>Traffic safety programs</b>	2.91	2.90	2.77	2.84	3.02	2.81
<b>Youth employment and opportunities programs</b>	3.26	2.99	3.23	3.15	3.14	2.74
<b>Substance use services</b>	3.27	3.03	3.21	3.19	3.17	2.81
<b>Violence prevention programs</b>	3.35	3.19	3.32	3.33	3.41	3.06
<b>Homeless services program</b>	3.56	3.12	3.26	3.44	3.22	2.86
<b>Mental health services</b>	3.69	3.48	3.46	3.53	3.43	3.15

**Experiences in Berkeley**

Nearly half of the respondents reported experiencing street harassment, and 41% reported being the victim of a crime. Differences along race and ethnicity appear on a number of self-reported personal experiences. Black respondents were more likely to indicate that they have experienced multiple incidents and conditions, including arrest, police harassment, a mental health crisis, homelessness, family victimization, and crime victimization.

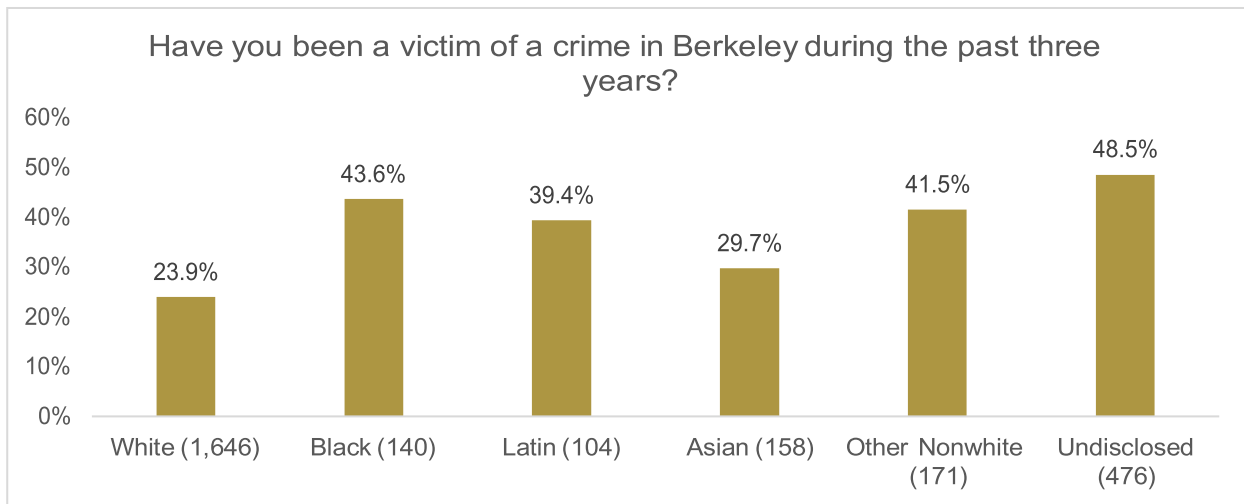


**Table 4. Have you personally experienced any of the following in Berkeley? By race and ethnicity.**

	<b>White</b>	<b>Black</b>	<b>Latin</b>	<b>Asian</b>	<b>Other Nonwhite</b>	<b>Undisclosed</b>
<b>Spent time in jail</b>	1.3%	5.0%	1.9%	0.0%	.6%	1.4%
<b>Substance use crisis</b>	1.3%	4.3%	4.8%	0.0%	1.7%	1.0%
<b>Police violence</b>	1.5%	2.1%	2.9%	2.5%	1.7%	.8%
<b>Arrested</b>	1.8%	7.1%	4.8%	1.9%	.6%	2.2%
<b>Homelessness</b>	3.1%	12.1%	7.6%	1.9%	6.4%	6.6%
<b>Mental health crisis</b>	5.1%	8.6%	7.6%	4.3%	5.8%	6.2%
<b>Police harassment</b>	4.3%	17.1%	7.6%	5.0%	6.4%	4.0%
<b>Family member of a crime victim</b>	17.0%	35.0%	24.8%	16.8%	32.0%	32.5%
<b>Involved in a traffic collision or violence</b>	20.5%	22.9%	20.0%	21.1%	20.3%	25.9%
<b>Victim of a crime</b>	40.2%	50.7%	43.8%	37.3%	43.0%	53.3%
<b>Victim of street harassment</b>	43.1%	55.7%	61.9%	52.2%	64.0%	64.1%

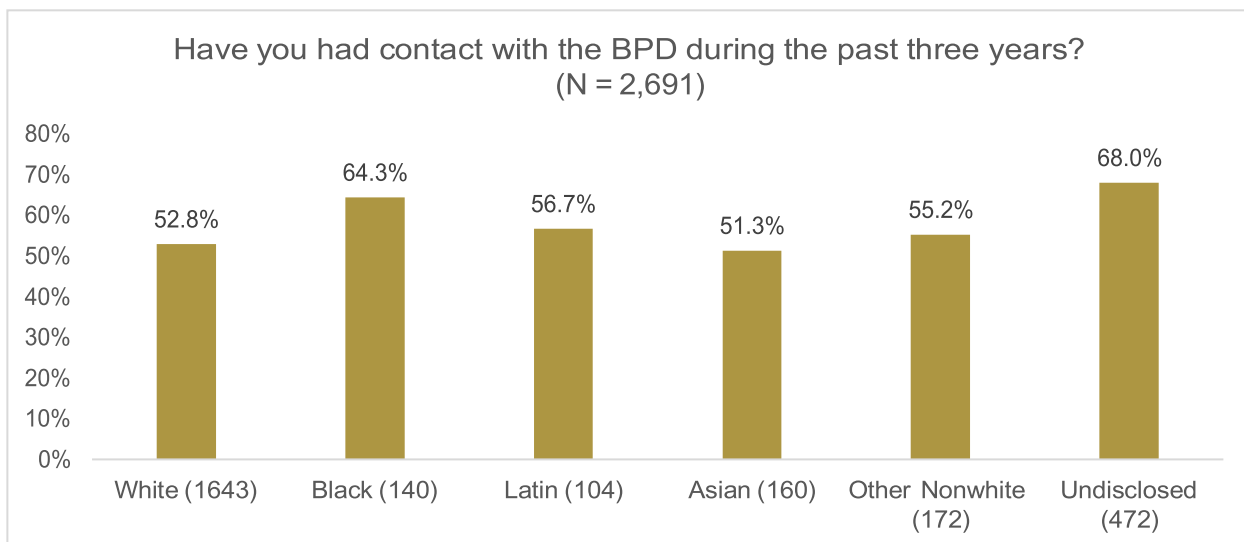
**Crime Victimization**

Approximately 30% of the respondents indicated having been a crime victim in the City of Berkeley during the past three years. Respondents who are Black and who declined to disclose race and ethnicity were the most likely to indicate that they have been the victim of a crime in Berkeley during the past three years. White respondents were the least likely to do so.



### EXPERIENCE WITH THE BERKELEY POLICE DEPARTMENT

Over half of the respondents (54%) indicated that they have had contact with the Berkeley Police Department (BPD) during the past three years. Respondents who are Black and who declined to disclose race and ethnicity were the most likely to report that they have had contact with the BPD during the past three years.

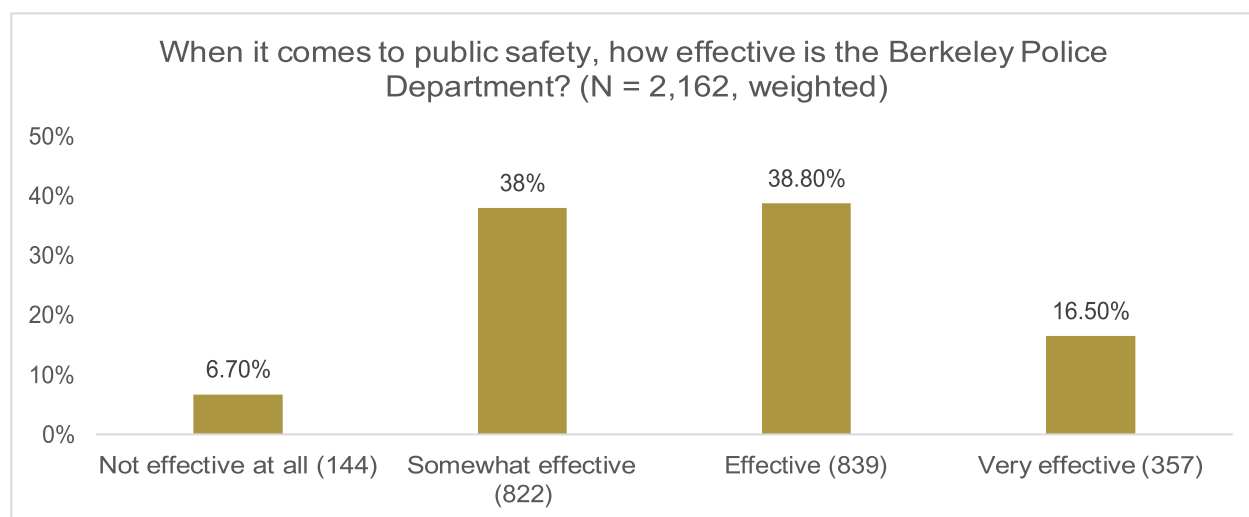


### Perceived Effectiveness of the Berkeley Police Department

Many respondents (38%) perceived the department to be somewhat effective and over half (55.3%) perceived it to be effective or very effective. Only a small number and percentage of the respondents (6.7%) indicated that the Berkeley Police Department is not effective at all.

Some differences in perceived effectiveness of the Berkeley Police Department emerged when the data were disaggregated by race and ethnicity. Nonwhite respondents were more likely to indicate that the

BPD is not effective at all; Asian and Latin respondents were more likely to indicate that the BPD is somewhat effective; and white respondents were more likely to indicate that the BPD is effective. Black residents held diverse views regarding the BPD, and the analysis found that they were more likely to view the BPD as either very effective or not effective at all compared to other groups. Those with undisclosed race and ethnicity were more likely to indicate that the BPD is very effective.

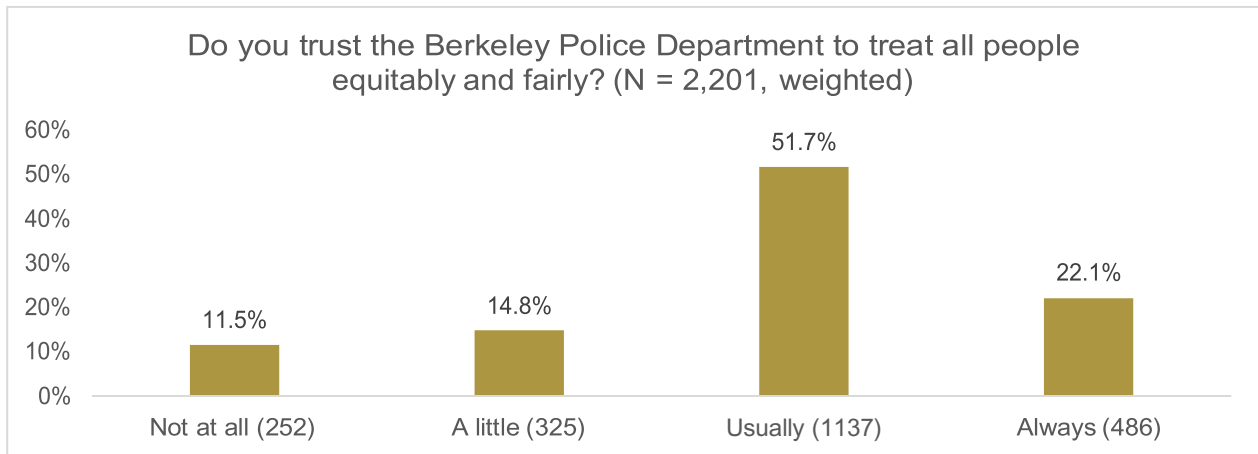


**Table 5. When it comes to public safety, how effective is the Berkeley Police Department? By race and ethnicity.**

	<b>White</b> N = 1,599	<b>Black</b> N = 136	<b>Latin</b> N = 103	<b>Asian</b> N = 154	<b>Other Nonwhite</b> N = 167	<b>Undisclosed</b> N = 462
<b>Not effective at all</b>	6.8%	8.8%	4.9%	5.2%	10.2%	5.2%
<b>Somewhat effective</b>	36.3%	36.0%	41.7%	43.5%	30.5%	35.9%
<b>Effective</b>	43.4%	27.2%	32.0%	35.1%	39.5%	34.0%
<b>Very effective</b>	13.4%	27.9%	21.4%	16.2%	19.8%	24.9%

**Trust that the Berkeley Police Department treats all people fairly and equitably**

A little over half of the respondents trust the BPD to usually treat people fairly and equitably, with the remaining 26% demonstrating low confidence in the police on this measure. A minority of the respondents (22%) always trust the BPD to treat people fairly and equitably. Some differences emerged along race and ethnicity with respect to confidence in the BPD to exercise fairness and equity. Black and Latin respondents hold a variety of perspectives on police. They were more likely than other groups to either not trust the BPD or to have confidence in them. Respondents with an undisclosed race and ethnicity were the most likely to demonstrate confidence in the BPD in this regard, and the least likely to demonstrate low confidence.

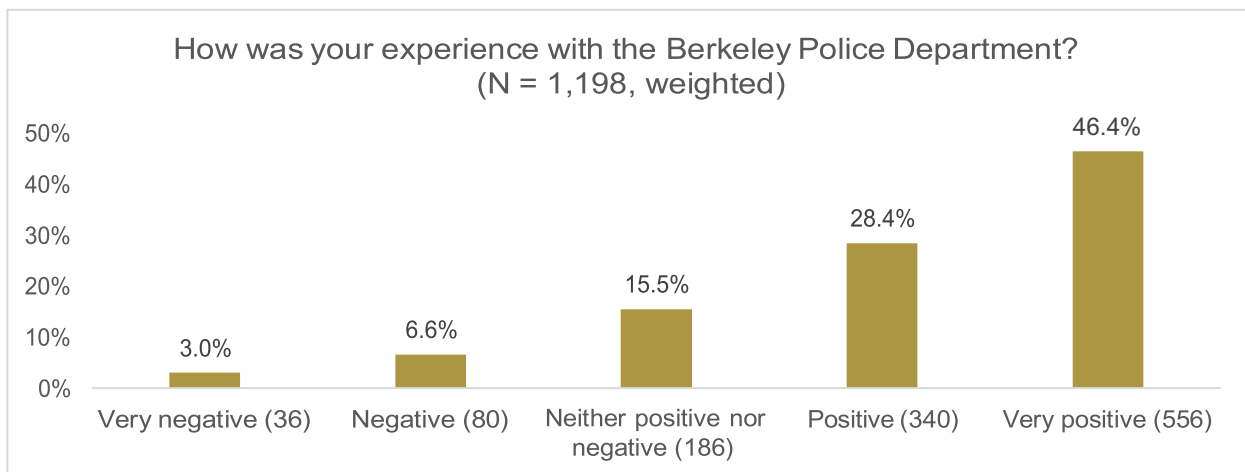


**Table 6. Do you trust the Berkeley Police Department to treat all people equitably and fairly? By race and ethnicity.**

	<b>White</b> (N = 1,632)	<b>Black</b> (N = 139)	<b>Latin</b> (N = 102)	<b>Asian</b> (N = 159)	<b>Other Nonwhite</b> (N = 169)	<b>Undisclosed</b> (N = 474)
<b>Not at all</b>	10.3%	16.5%	16.7%	10.1%	10.7%	3.0%
<b>A little</b>	16.1%	12.9%	12.7%	13.9%	12.4%	8.2%
<b>Usually</b>	55.0%	38.8%	37.3%	56.3%	48.5%	44.9%
<b>Always</b>	18.6%	31.7%	33.3%	19.6%	28.4%	43.9%

### Quality of Experience with the Berkeley Police Department

Among the respondents who indicated that they've had contact with the BPD and chose to report on the quality of those experiences, three out of four (74.8%) indicated that the experience was positive or very positive. Differences in experiences with police across race and ethnicity include Black and Asian respondents as the most likely to report negative experiences, and respondents with undisclosed race and ethnicity as the least likely to report negative experiences and the most likely to report positive experiences with the BPD.





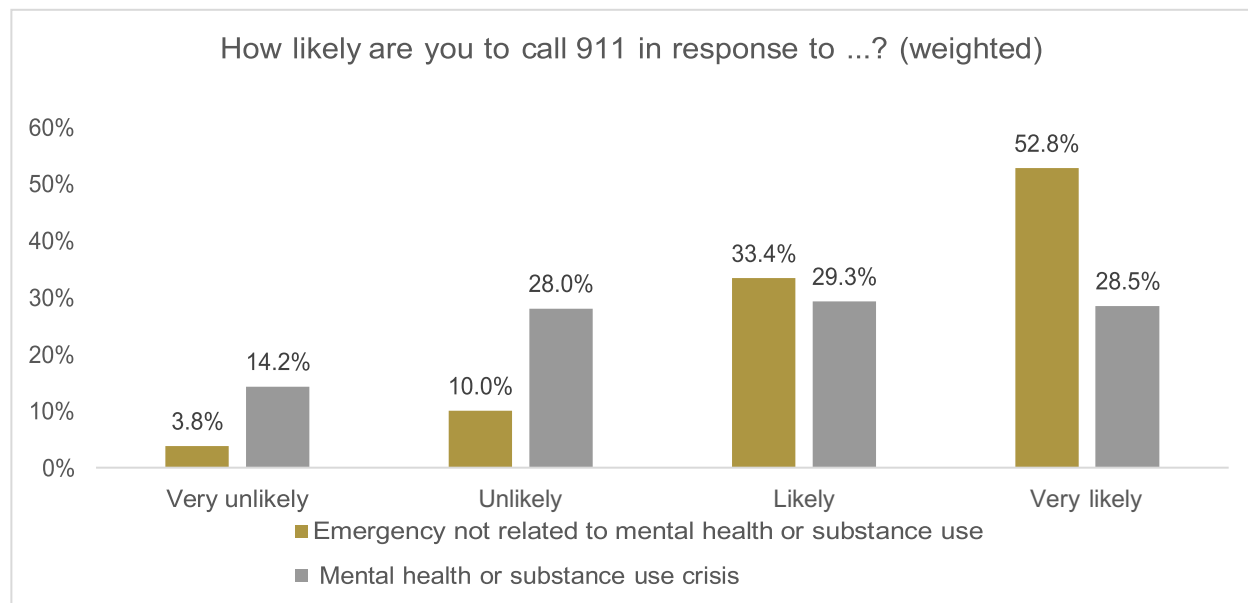
**Table 7. How was your experience with the Berkeley Police Department? By race and ethnicity.**

	<b>White</b> N = 864	<b>Black</b> N = 90	<b>Latin</b> N = 59	<b>Asian</b> N = 82	<b>Other Nonwhite</b> N = 95	<b>Undisclosed</b> N = 318
<b>Very negative</b>	2.3%	4.4%	5.1%	2.4%	4.2%	0.6%
<b>Negative</b>	6.1%	6.7%	1.7%	11.0%	5.3%	3.8%
<b>Neither positive nor negative</b>	17.0%	13.3%	20.3%	11.0%	13.7%	12.6%
<b>Positive</b>	31.0%	21.1%	18.6%	31.7%	25.3%	15.1%
<b>Very positive</b>	43.5%	54.4%	54.2%	43.9%	51.6%	67.9%

### LIKELIHOOD TO CALL EMERGENCY RESPONSES

Respondents are far more likely to call 911 in response to an emergency situation *not* involving mental health or substance use (86.2%) than they are to an emergency that does relate to a mental health or substance use crisis (57.9%). Over half of the respondents did, however, indicate that they are likely or very likely to call 911 in response to a mental health or substance-use-related crisis (57.9%).

Black and Latin respondents indicated a wide range of responses to the question regarding their likelihood of calling the 911 in response to a mental health or substance use crisis. On the other hand, racial and ethnic groups responded similarly in response to the question about calling 911 when there's an emergency *not* related to mental health or substance use. Substantially more Black respondents indicated extreme reluctance as compared with other groups.



**Table 8. How likely are you to call emergency services (911) in response to an emergency NOT related to a mental health or substance use crisis? By race and ethnicity.**

	<b>White</b> N = 1,632	<b>Black</b> N = 140	<b>Latin</b> N = 104	<b>Asian</b> N = 156	<b>Other Nonwhite</b> N = 171	<b>Undisclosed</b> N = 468
<b>Very unlikely</b>	3.7%	9.3%	3.8%	1.9%	2.9%	4.1%
<b>Unlikely</b>	10.9%	11.4%	7.7%	8.3%	10.5%	9.8%
<b>Likely</b>	33.8%	27.9%	33.7%	34.6%	32.2%	26.7%
<b>Very likely</b>	51.5%	51.4%	54.8%	55.1%	54.4%	59.4%

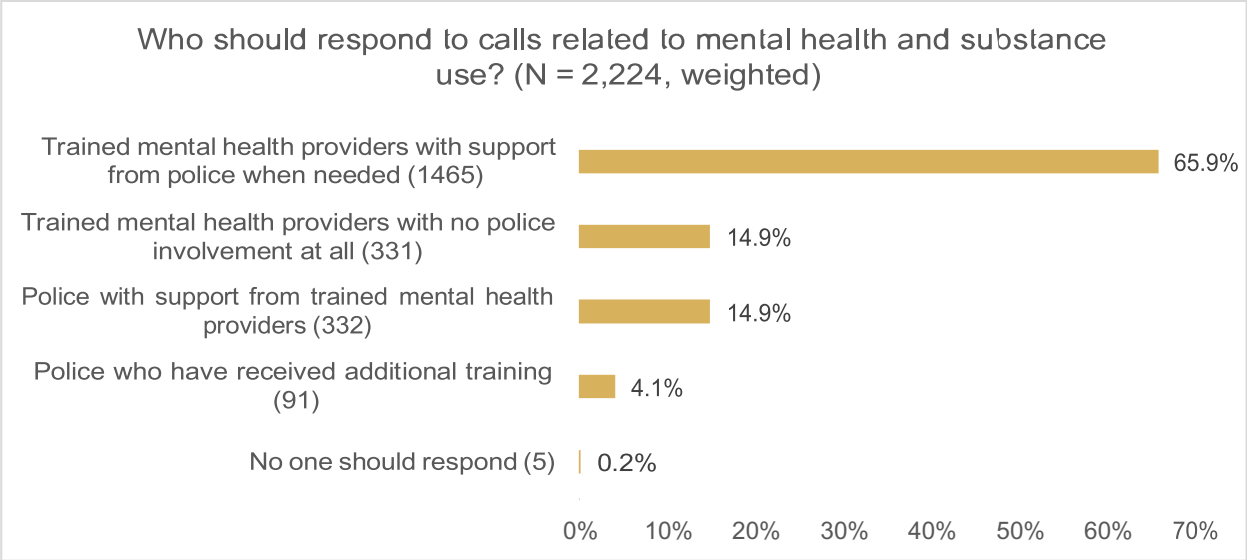
**Table 9. How likely are you to call emergency services (911) in response to a mental health or substance use crisis? By race and ethnicity.**

	<b>White</b> N = 1,628	<b>Black</b> N = 140	<b>Latin</b> N = 104	<b>Asian</b> N = 158	<b>Other Nonwhite</b> N = 170	<b>Undisclosed</b> N = 471
<b>Very unlikely</b>	15.2%	20.0%	20.2%	6.3%	14.7%	15.9%
<b>Unlikely</b>	26.7%	25.0%	20.2%	35.4%	31.2%	22.9%
<b>Likely</b>	30.8%	20.7%	21.2%	32.9%	28.8%	28.5%
<b>Very likely</b>	27.4%	34.3%	38.5%	25.3%	25.3%	32.7%

### PREFERENCE FOR CRISIS RESPONSE

A large majority of the respondents (80.8%) indicated a preference for trained mental health providers to respond to calls related to mental health and substance use, with most among those respondents indicating that police support should be available when needed. Some respondents (19%) indicated a preference for a police response, with over two-thirds of those respondents indicating that mental health providers should be available for support.

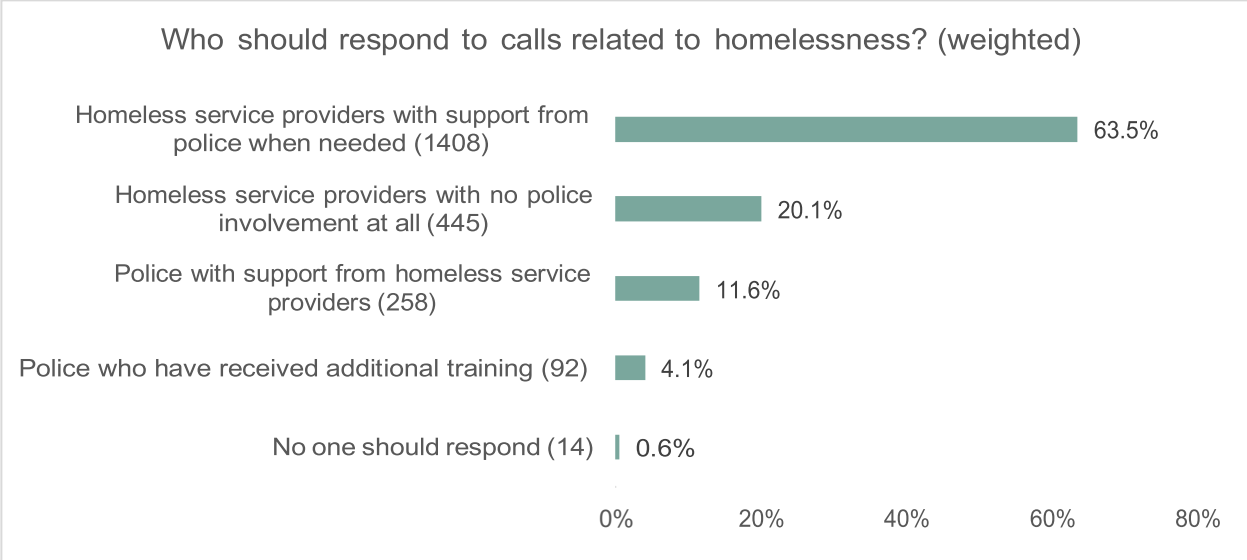
All racial and ethnic groups show a preference for “Trained mental health providers, with support from police when needed” to respond to calls related to mental health and substance use. Respondents whose race and ethnicity were undisclosed were the most likely to prefer a police response (42%) in comparison to other groups.



**PREFERENCE FOR RESPONSE TO HOMELESSNESS**

A large majority of the respondents (83.6%) indicated a preference for homeless services providers to respond to calls related to homelessness, with most among those respondents indicating that police support should be available when needed. Some of the respondents (15.7%) indicated a preference for a police response, with the majority of those respondents indicating that homeless services providers should be available for support.

All racial and ethnic groups show a preference for homeless services providers, with support from police when needed to respond to calls related to homelessness. Respondents whose racial and ethnic were undisclosed were the most likely to prefer a police response (41%) in comparison to other groups.



## REFERENCES

Conron, K.J., W. Luhur, and S.K. Golberg. *LGBT Adults in Large US Metropolitan Areas*. Los Angeles: UCLA School of Law Williams Institute, 2021. Retrieved on 6/24/21 from <https://williamsinstitute.law.ucla.edu/wp-content/uploads/MSA-LGBT-Ranking-Mar-2021.pdf>.

Jones, J.M. "LGBT Identification Rises to 5.6% in Latest U.S. Estimate." Gallup News, February 24, 2021. Retrieved on 6/24/21 from <https://news.gallup.com/poll/329708/lgbt-identification-rises-latest-estimate.aspx>.

Whitfield, G. P., S. A. Carlson, E. N. Ussery, K. B. Watson, D. R. Brown, D. Berrigan, and J. E. Fulton. "Racial and Ethnic Differences in Perceived Safety Barriers to Walking, United States National Health Interview Survey—2015." *Preventative Medicine*, no. 114 (June 9, 2018): 57–63.

## APPENDIX

### SAMPLE PROFILE

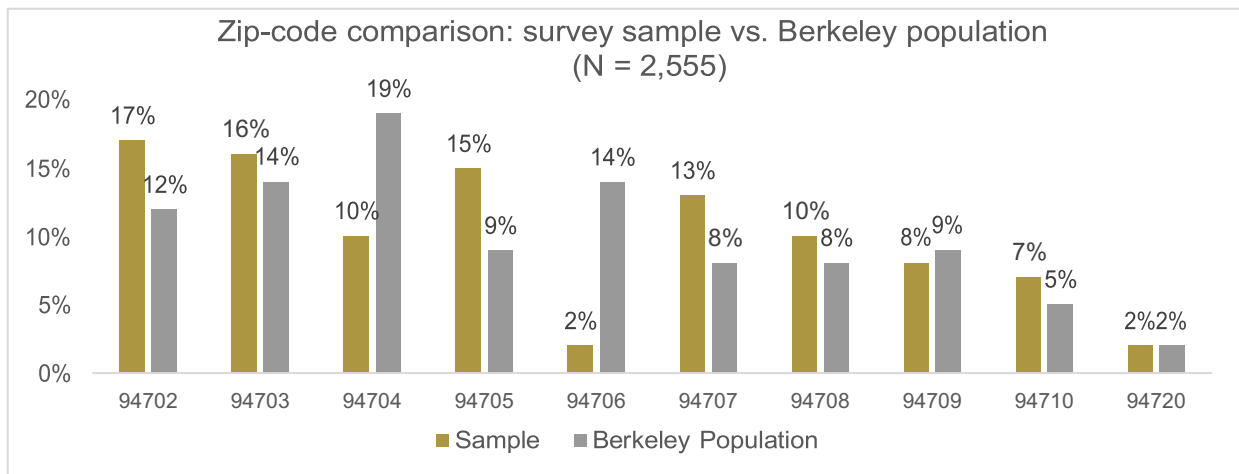
#### Relationship to City of Berkeley

The vast majority of the survey respondents live in Berkeley (84.4%). A portion work in Berkeley (but don't live there), and a small number have other situations or provided no information. Notably, very few houseless residents responded to the survey.

Live or work in Berkeley (N = 2,729)	Percent
Live in Berkeley	84.4%
Work in Berkeley	12.0%
I am currently experiencing homelessness	0.1%
I do not live or work in Berkeley	2.3%
No information	1.1%

#### Zip Code

The Berkeley population is spread out primarily across the 10 zip codes listed in the table and chart below, which compare the survey responses with Berkeley population figures.<sup>1</sup> These data show that certain zip codes are overrepresented in the sample (e.g., 94702, 94705, 94707), while others are underrepresented (e.g., 94704, 94706).



#### Age

The sample skews significantly toward older respondents, with approximately 70% of the respondents who provided information on their age identifying themselves as 45 years or older, and over 40% of the respondents identifying themselves as 60 years or older. By comparison, among the adult population of

<sup>1</sup> Zip-code data for the residents of Berkeley from Zip-code.com. Retrieved on 6/24/21 from <https://www.zip-codes.com/city/ca-berkeley.asp>.

Berkeley, 42% is estimated to be 45 or older, and only 25% is estimated to be 60 or older.<sup>2</sup> Note that there were 55 respondents who did not respond to this question.

<b>Age Range (N = 2,674)</b>	<b>Percent</b>
<b>Under 14 years (1)</b>	0.04%
<b>14–17 (3)</b>	0.1%
<b>18–29 (182)</b>	6.8%
<b>30–44 (21)</b>	23.2%
<b>45–59 (788)</b>	29.5%
<b>60+ years (1,079)</b>	40.4%

### **Sexual Orientation**

Of the respondents who responded to the question pertaining to sexual orientation (84 respondents declined to answer the question), 67% indicated that they are heterosexual or straight; nearly 17% indicated a preference not to disclose; and approximately 16% indicated a sexual orientation generally classified under the umbrella of LGBTQ. While there are no reliable existing figures to show the percentage of the LGBTQ population among Berkeley residents, it is reasonable to speculate that the LGBTQ population is overrepresented in the sample on the basis of recent figures estimating that the LGBTQ population in the wider Bay Area is 6.7% (Conron, et al., 2021). Furthermore, new analyses show that younger populations are more likely to indicate an LGBTQ identification as compared with older populations (Jones, 2021). Given this research and the age of the sample, one would anticipate a lower-than-average LGBTQ percentage in the sample rather than a higher-than-average percentage—which again suggests over-sampling of the LGBTQ population.

<b>Sexual Orientation (N = 2,645)</b>	<b>Percent</b>
<b>Heterosexual or straight (1,771)</b>	67.0%
<b>Prefer not to say (447)</b>	16.9%
<b>Gay or lesbian (155)</b>	5.9%
<b>Bisexual (133)</b>	5.0%
<b>Queer (72)</b>	2.7%
<b>Questioning or unsure (16)</b>	0.6%
<b>Other, please specify (51)</b>	1.9%

<sup>2</sup> Population estimates from Census Reporter. Retrieved on 6/24/21 from <https://censusreporter.org/profiles/16000US0606000-berkeley-ca/>.

## Gender Identity

In terms of gender, men are underrepresented in the sample. A substantial portion of the respondents (nearly 10%) preferred not to disclose their gender identity.

Gender Identity (N = 2,662)	Percent
<b>Woman (1,439)</b>	54.1%
<b>Man (893)</b>	33.5%
<b>Genderqueer / nonbinary / other (73)</b>	2.7%
<b>Prefer not to say (257)</b>	9.7%

## Race and Ethnicity

The table below represents all survey responses to the question of race and ethnicity before any recoding or weighting, so the total number exceeds the number of respondents. Please note that for this survey, respondents were invited to select all racial and ethnic categories that applied to them. In other words, an individual who selected White, as well as Black or African American and South Asian is counted three times in the table below.

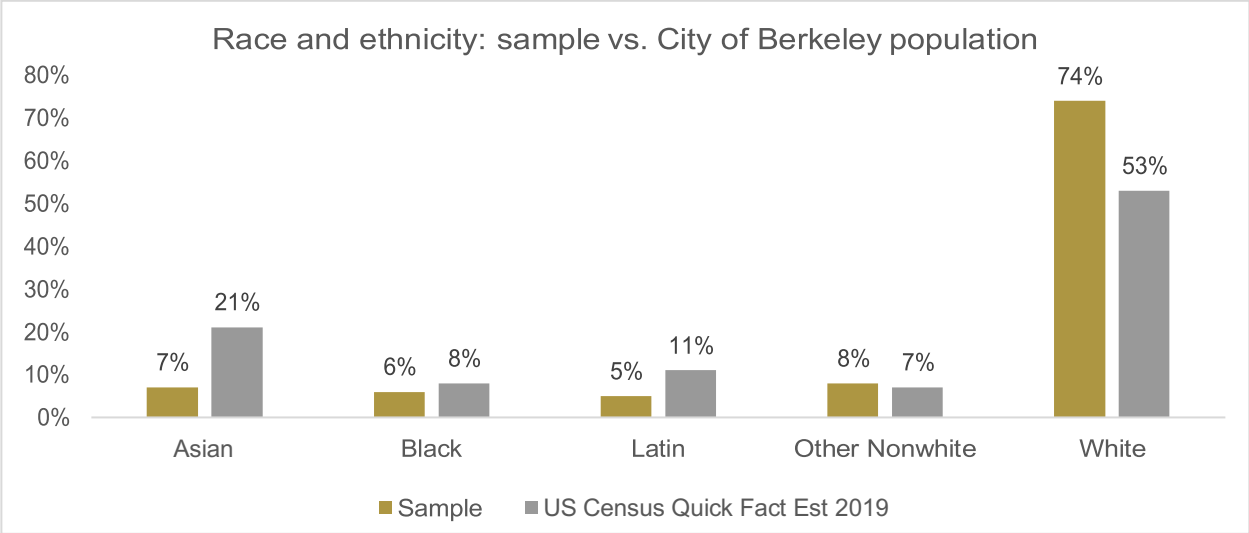
Race and ethnicity	Number	% of Total
<b>White</b>	1787	65.5%
<b>Black or African American</b>	137	5.0%
<b>Latin</b>	126	4.6%
<b>East Asian</b>	168	6.2%
<b>South East Asian</b>	53	1.9%
<b>South Asian</b>	47	1.7%
<b>Middle Eastern / North African</b>	42	1.5%
<b>American Indian / Native American / Alaskan Native</b>	33	1.2%
<b>Pacific Islander or Native Hawaiian</b>	22	0.8%
<b>Other</b>	113	4.1%
<b>Prefer not to say</b>	409	15.0%

In order to simplify the data to allow for disaggregated analyses and to enable the creation of a weighting scheme, the analysts created a reduced number of discrete (i.e., not overlapping) racial and ethnic categories. To condense the data into discrete categories, the data were recoded in the following manner:

- **White:** Respondents who selected only White as their race and ethnicity were coded as white; respondents who selected “Other” and then wrote in only an ethnicity that is considered white (e.g., European, Irish, Jewish, etc.) were coded as white.
- **Black:** Respondents who selected Black were coded as Black, even if they also selected other racial and ethnic identities.

- **Latin:** Respondents who had selected Latin were coded as Latin, even if they also selected other racial and ethnic identities (unless they also selected Black, in which case they were recoded as Black).
- **Asian:** Respondents who selected East Asian, Southeast Asian, or Other and then wrote in an ethnicity that is considered Asian (e.g., Japanese, Chinese, etc.) were coded as Asian, even if they also selected other racial and ethnic identities (besides Black or Latin)
- **Other Nonwhite:** All other nonwhite racial and ethnic categories were combined into a single “Other Nonwhite” variable, including Native American / Alaskan, South Asian, Arab / Middle Eastern, and Pacific Islander / Native Hawaiian, as well as anyone who selected multiple racial and ethnic identities that did not include Black, Latin, or Asian, and anyone who selected “Other” and then wrote in an ethnicity that was outside the aforementioned categories.

Notably, after White the most common response in the data set was “Prefer not to say,” which was recoded to include blank responses as well as anyone who selected “Other” and then wrote in a nonresponsive category (e.g., “human race,” “race does not exist,” or “irrelevant”). These respondents comprise 18% of the sample (478 out of 2,708) and are listed as Undisclosed under race and ethnicity. In the disaggregated analyses, their responses are included to show how this group’s answers differed from those of other groups, but for the purposes of devising a weighting scheme on the basis of race and ethnicity, these respondents are omitted, as the race and ethnicity data for them is essentially missing.



	Sample		Berkeley Population US Census QuickFacts Est. 2019	Weighting Factor
<b>Asian</b>	161	7%	21%	3
<b>Black</b>	140	6%	8%	1.333
<b>Latin</b>	105	5%	11%	2.2
<b>Other Nonwhite</b>	172	8%	7%	0.875
<b>White</b>	1652	74%	53%	0.716
<b>Subtotal</b>	2230	100%	100%	--



<b>Undisclosed</b>	478	18%	--	--
<b>Total sample</b>	2708	100%	--	--

The Berkeley Community Safety survey sample (respondent population) is not representative of the Berkeley population in terms of race and ethnicity. The table above shows the breakdown of race and ethnicity for the Berkeley population and the sample (for the respondents who provided race and ethnicity information).

For all findings provided below in aggregate (i.e., not disaggregated by race and ethnicity), the analysis includes weighting by the race and ethnicity factor (as listed above) in order to correct for the disproportionate representation of some racial and ethnic groups in the sample. So, for example, respondents who are Asian comprise only 7% of the sample but 21% of the Berkeley population. So in the frequency tables in the findings section, responses from Asian-identified respondents are amplified by a factor of 3. Similarly, white and Other Nonwhite respondents are overrepresented in the sample, so the value of their responses is discounted to 71.6% and 87.5% of their original value, respectively.

### Race and ethnicity by Zip Code

Ethnicity		Blank	94701	94702	94703	94704	94705	94706	94707	94708	94709	94710	94712	94720	Not sure	Total
<b>White</b>	#	48	4	264	247	126	264	33	229	186	129	91	1	25	5	1652
	%	2.9%	.2%	16.0%	15.0%	7.6%	16.0%	2.0%	13.9%	11.3%	7.8%	5.5%	.1%	1.5%	.3%	100.0%
<b>Black</b>	#	4	0	31	24	16	11	2	6	9	7	24	0	4	2	140
	%	2.9%	0.0%	22.1%	17.1%	11.4%	7.9%	1.4%	4.3%	6.4%	5.0%	17.1%	0.0%	2.9%	1.4%	100.0%
<b>Latin</b>	#	3	0	18	15	15	22	7	7	5	4	6	0	0	3	105
	%	2.9%	0.0%	17.1%	14.3%	14.3%	21.0%	6.7%	6.7%	4.8%	3.8%	5.7%	0.0%	0.0%	2.9%	100.0%
<b>Asian</b>	#	7	0	27	27	19	14	2	10	18	19	11	0	7	0	161
	%	4.3%	0.0%	16.8%	16.8%	11.8%	8.7%	1.2%	6.2%	11.2%	11.8%	6.8%	0.0%	4.3%	0.0%	100.0%
<b>Other Nonwhite</b>	#	11	1	19	23	28	15	6	15	18	15	13	0	7	1	172
	%	6.4%	.6%	11.0%	13.4%	16.3%	8.7%	3.5%	8.7%	10.5%	8.7%	7.6%	0.0%	4.1%	.6%	100.0%
<b>Undisclosed</b>	#	63	3	72	75	56	56	8	53	32	25	30	0	8	18	499
	%	12.6%	.6%	14.4%	15.0%	11.2%	11.2%	1.6%	10.6%	6.4%	5.0%	6.0%	0.0%	1.6%	3.6%	100.0%
<b>Total</b>	#	136	8	431	411	260	382	58	320	268	199	175	1	51	29	2729
	%	5.0%	.3%	15.8%	15.1%	9.5%	14.0%	2.1%	11.7%	9.8%	7.3%	6.4%	.0%	1.9%	1.1%	100.0%

## CITY OF BERKELEY REIMAGINING PUBLIC SAFETY SURVEY

*If you would like to take this survey in Spanish, please select Spanish on the right (in the black bar above).*

*Si le gustaría responder a esta encuesta en español, por favor escoja “Español” a la derecha (en la barra color negro que aparece arriba).*

The City of Berkeley is looking to create a community safety model that reflects the needs of the community. We invite those who live, work, and study in the City of Berkeley to provide their input on the following:

- The current state of public safety in Berkeley
- The role of the Berkeley Police Department
- Your ideas for the future

Your participation in the survey will inform our decisions about funding and strategy for community safety in Berkeley.

We want your honest feedback and perspective. **Your survey responses are completely anonymous and confidential.** You can skip any questions and end the survey at any time. Only [Bright Research Group](#), a third-party outside research firm, will have access to the survey responses. Bright Research Group will summarize de-identified survey responses in a report to the City of Berkeley.

If you have any questions, please contact David White at [rpstf@cityofberkeley.info](mailto:rpstf@cityofberkeley.info).

### Community Safety

1) How safe do you think Berkeley is?

Very safe

Safe

Somewhat safe

Unsafe

Very unsafe

2) For you, what would make Berkeley a safer city?

3) How important are the following issues to community health and safety in Berkeley to you? Please rate each of the issues.

	<b>Very important</b>	<b>Important</b>	<b>Somewhat important</b>	<b>Not important</b>
Shooting and homicides				
Robberies				
Domestic abuse and intimate partner violence				
Sexual assault				
Child abuse				
Burglaries and break-ins				
Thefts				
Traffic safety				
Mental health crises				
Homelessness				
Drug sales				
Substance use				
Human trafficking				
Police violence				

4) *Have you personally experienced any of the following in Berkeley? Please check all that apply.*

Homelessness

Arrested

Spent time in jail

Victim of a crime

Family member of a crime victim

Victim of street harassment

Involved in a traffic collision or traffic violence

Mental health crisis

Substance use crisis

Police harassment

Police violence

None of the above

5) *Have you been a victim of a crime in the City of Berkeley in the past 3 years?*

Yes

No

6) *Have you had contact with the Berkeley Police Department in the past 3 years?*

Yes

No

7) *How was your experience with the Berkeley Police Department?*

Very positive

Positive

Neither positive nor negative

Negative

Very negative

8) *What recommendations do you have to improve police response?*

9) *When it comes to public safety, how effective is the Berkeley Police Department?*

Very effective

Effective

Somewhat effective

Not effective at all

10) Please share examples of how the Berkeley Police Department *has worked well* in your community.

If you feel it would be helpful, please describe your community (for example, by race and ethnicity, sex, gender identity or expression, sexual orientation, housing status, age, physical or mental disabilities, class, religion, immigration status).

11) Please share examples of how the Berkeley Police Department *has not worked well* in your community.

If you feel it would be helpful, please describe your community (for example, by race and ethnicity, sex, gender identity or expression, sexual orientation, housing status, age, physical or mental disabilities, class, religion, immigration status).

12) *Do you trust the Berkeley Police Department to treat all people fairly and equitably?*

Always

Usually

A little

Not at all

13) In what ways could the Berkeley Police Department work to build more trust with the community?

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**Reimagining Public Safety**

14) How important is it to you for the City of Berkeley to invest in each of these programs and services to ensure a public safety system that works for all?

	<b>Very important</b>	<b>Important</b>	<b>Somewhat important</b>	<b>Not important</b>
Youth employment and opportunities programs				
Homeless services program				
Mental health services				
Substance use services				
Violence prevention programs				
Traffic safety programs				

15) What other programs and services do we need to invest in within our community to ensure a public safety system that works for all?

**As part of the city’s Reimagining Public Safety Initiative, the city is developing a pilot program to *reassign noncriminal police service calls to a Specialized Care Unit.***

**This Specialized Care Unit (SCU) will consist of trained crisis-response workers who will respond to calls that are determined to be noncriminal and that pose no immediate threat to the safety of community members and/or responding personnel.**

***Your answers to the following questions will help the city in the design of the pilot program.***

*16) How likely are you to call emergency services (9-1-1) in response to a mental health or substance use crisis?*

Very Likely

Likely

Unlikely

Very unlikely

*17) How likely are you to call emergency services (9-1-1) in response to an emergency **not related** to mental health or substance use ?*

Very likely

Likely

Unlikely

Very unlikely

*18) Who should respond to calls related to mental health and substance use?*

Trained mental health providers, with no police involvement at all

Trained mental health providers, with support from police when needed

Police, with support from trained mental health providers

Police who have received additional training

No one should respond

*19) Who should respond to calls related to homelessness?*

Homeless service providers, with no police involvement at all

Homeless service providers, with support of police when needed

Police, with support from homeless service providers

Police who have received additional training



No one should respond

20) Please share any experiences you have had with mental health and/or substance use crisis response services in Berkeley.

21) What recommendations do you have to improve mental health and/or substance use crisis response in Berkeley?

---

### Demographic Information

22) *What best describes you?*

Live in Berkeley

Work in Berkeley

I am currently experiencing homelessness

I do not live or work in Berkeley

23) *Which City of Berkeley zip code do you live or work in?*

94701

94702

94703

94704

94705

94706

94707

94708

94709

94710

94712

94720

Not sure

24) *How old are you?*

Under 14 years

14–17

18–29

30–44

45–59

60+ years

25) *What is your race and ethnicity? (Check all that apply.)*

Black or African American

Latinx

White

East Asian

South Asian

South East Asian

Pacific Islander or Native Hawaiian

American Indian, Native American, or Alaskan Native

Middle Eastern or North African

Prefer not to say Other—

please specify:

26) *Do you identify as transgender?*

Yes

No

Unsure / prefer not to say

27) *What is your gender?*

Woman

Man

Genderqueer

Nonbinary Other—

please specify: Prefer

not to say

28) *How would you describe your sexual orientation?*

Gay or lesbian

Bisexual

Queer

Questioning or unsure

Heterosexual or straight

Other—please specify: \*

Prefer not to say

29) *Are you familiar with the City of Berkeley's efforts to reimagine public safety?*

Yes

No

30) *Would you like to know more about the city's efforts to reimagine public safety?*

Yes

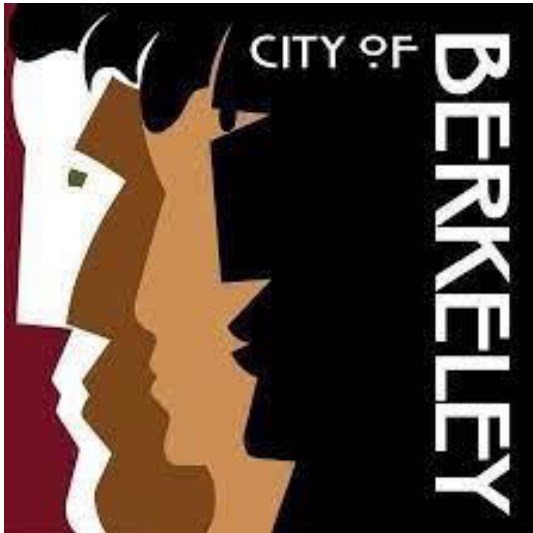
No

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**Thank you!**

Thank you for taking our survey! Your response is very important to us. You can find more information about the City of Berkeley's ongoing efforts to reimagine public safety at <https://berkeley-rps.org>.

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## **CITY OF BERKELEY: REIMAGINING PUBLIC SAFETY—COMMUNITY PERCEPTIONS**

*Summary of Findings—July 2021*



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## INTRODUCTION

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The City of Berkeley is working to develop a community-safety model that reflects the needs of the community and creates increased safety for all. In collaboration with the National Institute for Criminal Justice Reform, Bright Research Group (BRG) facilitated a series of focus groups to gather community perspectives on the current state of public safety, the role of the Berkeley Police Department (BPD), and the future of public safety. The McGee Avenue Baptist Church; the Center for Food, Faith & Justice; and the Berkeley Underground Scholars facilitated outreach to Black, Latin, system-impacted, and unstably housed / food-insecure residents. This report summarizes the key findings from the focus groups conducted in the spring and summer of 2021.

## METHODOLOGY

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Bright Research Group worked with the National Institute for Criminal Justice Reform and the Berkeley City Manager's Office to identify several priority populations for community focus groups—Black, Latin, formerly incarcerated, and low-income individuals struggling with food and/or housing insecurity. The research aimed to gather community insights from those most impacted by disparate policing and was guided by the following research questions:

- How do community members view public safety in Berkeley? How safe do they feel in Berkeley, and what are their most pressing public-safety priorities?
- What ideas does the community have when it comes to reimagining public safety? How should public safety issues be addressed and by whom?
- How do community members experience and view the BPD? How does the BPD currently operate in communities, and what role should they play in future public safety efforts?

## DATA COLLECTION AND ANALYSIS

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Bright Research Group researchers conducted four focus groups and spoke with 55 individuals. The focus groups ran for 60–90 minutes and included questions about the participants' perceptions of public safety in Berkeley, including their opinions about existing and proposed responses to crime, mental health crises, homelessness, traffic safety, priorities as they relate to increasing public safety, and their experiences with and opinions about the role of the BPD.

<b>Focus Group Description</b>	<b>Number of Participants</b>
Black Residents	18
Housing- / Food-Insecure Residents	27
Black and Latin Youth	4
Justice-System-Impacted Students	6
<b>Total Stakeholders</b>	<b>55</b>

BRG analyzed the data from the focus groups and conducted a thematic analysis by research question. The themes uncovered during the thematic analyses are documented in this report as findings and recommendations, and they are intended to support the City of Berkeley and the Reimagining Public Safety Task Force as they work to develop a community safety model that reflects the needs of the community, creates increased safety for all, and reduces inequities and disparities about access to safety.

*Limitations:* The focus groups reached 55 individuals. A key limitation is that the qualitative data is not necessarily representative of the perspectives of Black, Latin, formerly incarcerated, and houseless residents. Additionally, youth under age 18 and Latin residents were not well-represented in the focus groups.

*As part of the community-engagement process, BRG developed a community-safety survey that was distributed by the Berkeley City Manager's Office, the Reimagining Public Safety Task Force, and other community partners. As a group, focus group participants were more critical of the Berkeley Police Department than survey participants.*

## FINDINGS

### COMMUNITY PERCEPTIONS AND PRIORITIES FOR SAFETY IN BERKELEY

***When it comes to feelings of safety from crime, the focus group participants described Berkeley as a city divided.*** The focus group participants agreed that many areas of Berkeley are relatively safe but pointed to significant disparities in neighborhood safety. Black residents named the neighborhoods below Martin Luther King Boulevard as unsafe and the hills and neighborhoods above Martin Luther King Boulevard as safe. They indicated that feelings of safety for some come at the expense of younger adults, Black people, and unhoused residents, who are targets of greater surveillance and looming displacement. Black residents and students who participated in the focus groups emphasized that gentrification is detrimental to community safety, erodes community cohesion, and negatively impacts their sense of belonging in their own neighborhoods.

***Focus group participants shared concerns about gang involvement, racism, and the availability of guns in Berkeley.*** Black residents expressed concerns about low-income Black youth's involvement in regional gang and group activity connected to Oakland and Richmond and described a need for deeper recognition of the vulnerability of Black youth. They called for increased investments in community-based and peer-led violence-prevention programs and named a specific need for Black-centered and Black-led mentorship interventions.

Black and Latin youth and students expressed significant concerns about their personal safety and worry most about being victims of robberies, shootings, and police violence. When asked about how safe Berkeley is, students and youth said they do not feel comfortable while walking the streets or enjoying public spaces in Berkeley and therefore move through the city cautiously. Black and Latin students and youth feel hyper visible while living in Berkeley. The students described feeling equally surveilled by neighbors and police and shared that living under a

"A lot of people in our community don't feel safe around Black bodies and the reality is that there are less Black bodies in Berkeley. That may be the plan from the perspective of those who don't feel safe around Black bodies..."  
—Resident

constant veil of suspicion is stressful, makes them feel like outsiders in their own city, and prevents them from fully engaging in the community. Black students pointed to the decreasing number of Black residents and the racism expressed by some locals as a source of stress. One Black student shared a story of being profiled by a neighbor who accused her of stealing packages from his porch.

In addition, the Black youth who participated in the focus group expressed dismay at the ease with which children and teenagers can purchase guns in the City of Berkeley. They spoke about a bustling, well-known, and easily accessible illegal gun market operating in the city and were troubled by the inability of the police and city leaders to stop the flow of guns into their communities. They named ending gun violence and police harassment of youth of color as Berkeley's most pressing community safety priorities.

***The focus group participants lifted homelessness and the housing crisis as one of the most critical public safety issues in Berkeley; they feel strongly that the city is responsible for providing for the basic needs of every resident.*** The

participants expressed dissatisfaction with the city's current management of homeless services and supports. When asked about the existing crisis system and the approach to homeless services, many of the participants explained that the police should have limited or no involvement in the issue. They cited the need to provide wraparound supports, including long-term housing, mental health care, drug treatment, and skills training for homeless residents.

Residents across the focus groups believe that most crimes in Berkeley are crimes of survival or the result of mental health issues and asserted that building an infrastructure to support a higher quality of life for homeless and low-income residents would make Berkeley safer. They called for more investment in housing, health care, and youth programs.

"It's not as safe as it used to be. It's too many people on the streets with severe mental health issues and nobody to monitor them."

—Resident

During the focus group with housing-insecure residents, the participants shared their critiques of the current approach to public safety advanced by city leadership. From their perspective, the city leadership prioritizes investments that fulfill the demands of wealthy residents. As examples, they cited the installation of speed bumps on roadways and the placement of surveillance cameras on city streets, while the critical needs of homeless, low-income, and formerly incarcerated residents are ignored. They recommended 24-hour street teams to provide medical and mental health care in communities, safe indoor and outdoor public spaces that stay open late, more community-run drop-in programs with the capacity to meet their basic needs, and expanded access to education, job training, and healing arts.

***The focus group participants rely on each other and community-based organizations for safety and support.*** Black residents, housing-insecure residents, and system-impacted students expressed significant distrust in the city government. When asked about who or what makes them feel safe in Berkeley, they emphasized that they do not feel seen, heard, or protected by government entities. Instead, they rely on one another and community-based organizations for safety and supports. At the same time, they have an expectation that the government should care about, work for, and be accountable to them as tax-paying and contributing residents of Berkeley. They were frustrated by what they see as the failure of city leaders to recognize their value, voice, and legitimacy when it comes to

influencing the way the city is run. They called for greater decision-making power when it comes to how resources are deployed in their communities.

## COMMUNITY LENS ON THE BERKELEY POLICE DEPARTMENT

***The focus group participants do not view the BPD as a community resource and instead rely on themselves and their communities for safety.*** Black residents, youth, system-impacted students, and low-income residents experiencing housing/food insecurity agreed that the current practices of the BPD are not in alignment with the needs and priorities of their communities. When it comes to crime and violence, the focus group participants across the demographics indicated that officers are largely absent in their communities and questioned the police department's commitment, skill, and capacity to prevent, intervene in, and solve serious crimes.

Focus group participants believe that police resources are mismanaged. They explained that the police currently prioritize high-income residents' low-level calls for service and spend too much time enforcing quality-of-life issues and recommended that the city prioritize improvements in police response times to emergencies identified by residents, as well as building relationships with the communities who experience both the disparate impacts of policing and violence/crime.

When asked about their experiences with and perceptions of the BPD, the participants in the focus groups shared a common perception that policing in Berkeley is racist and classist. They said that they do not look to the BPD for protection and instead feel targeted and unsafe when in their presence. They asserted that the city leadership is complacent in the BPD's racism and allows racial profiling and the harassment of Black, brown, and low-income residents to go on unchecked in the city. Many long-time Black residents described an increasingly aggressive style of policing and militarization in recent years that stands in sharp contrast to the friendlier community policing style they experienced while growing up in Berkeley. Black men, women, and youth shared recent personal experiences of being racially profiled and stopped by the BPD and expressed feelings of anger about their experiences. Similarly, individuals struggling with housing insecurity reported being targeted by the police due to their race and income level. Two Latin students explained that they and their friends are often stopped on and near the campus by both the campus police and the BPD because they do not fit the profile of the average UC Berkeley student. In addition, the youth who participated in the focus group said they'd witnessed the police harassing homeless people and immigrants working as street vendors. In response, the Black, housing insecure, student, and youth participants attempt to avoid the police whenever possible.

*"They {police} were people persons back in the day and now they are not. It was a different mentality."*

—Resident

***The focus group participants shared a range of perspectives regarding the future role of the BPD.*** Although they agree on the current state of policing in Berkeley, there are diverse opinions regarding the future role of the police. Some of the focus group participants believe the city should focus on police reform, while others think significant divestment from policing is needed. For those who discussed reforms, increased police training—including de-escalation, trauma-informed response, and racial-bias curriculum—were lifted as priorities along with a focus on hiring Black officers and officers of



color from the community to improve police-community relationships and increase trust. During the focus groups, Black participants, youth, and people experiencing food/housing insecurity lifted the importance of expanding community policing in the form of foot and bicycle patrols. In addition, residents named a need for increased police accountability in the form of mandatory body-worn-camera policies; community-led police commissions staffed with low-income people of color; the proactive, regular release of police performance and misconduct data; and swift terminations of officers who practice racially biased policing.

*“The police are supposed to be superheroes who protect us, but they’ve turned against us.”*

—Youth, age 13

Youth recognized and named the power of the BPD and wish the police would use their power to protect them and support their communities. They would like to have police officers who are part of the community, live in the community, and interact positively with young people through sports and mentoring.

The focus group participants who discussed divesting from policing recommended that the city invest in trained peacekeepers and community safety patrols focused on crime prevention and intervention strategies. They lifted relationship building, cultural competency, de-escalation techniques, and restorative justice as the core strategies to be deployed by these community patrols.

Overall, the focus group participants believe that investing in community health and ensuring that all residents have equitable access to quality education, food, shelter, and jobs should be the priority over investments in and reliance on the police to create community safety.

## COMMUNITY IDEAS ABOUT ALTERNATIVE RESPONSES

***When it comes to mental health crises and homelessness, the focus group participants across the demographic groups suggested that clinicians and social workers play a role in interventions and responses.*** While most of the focus group participants characterized the police as not fit or qualified to respond to these calls and wanted police response limited to situations involving violence, they described an expectation that when police do respond, they are skilled in crisis intervention, de-escalation, and cultural competency.

*“They need more street teams; they drive around looking for tents and sign people up for services. Back then there used to be street teams, but now there’s not as many. They need mental health teams, not the police”*

—Resident

*“Police ask if they can search the car, if you are on probation or parole, and if there are any drugs or guns in the car before they even tell the driver why they were pulled over.”*

—Resident

***The focus group participants across the demographic groups viewed traffic enforcement as a low-priority public safety issue in Berkeley.*** They recommended that the role of the police be streamlined and believe that officers currently spend too much time involved in car stops, which disparately target Black residents. When presented with the idea of unarmed staff handling traffic enforcement, most were open to the idea, but some expressed concerns about the safety of civilian staff. Although Black residents expressed support for non-police responses, they have little confidence in the city’s ability to decrease racism and disparate stops through the creation of unarmed civilian units.

***The Black residents who participated in the focus group do not trust that the city's proposed alternative programs will reduce racial oppression and racial disparities***, noting that the racism and anti-blackness that exists within the police department exists throughout the city government. They feared that without a true commitment to an antiracist approach to program design and implementation, as well as an authentic process to co-create these programs with the most impacted communities, the new programs will simply replicate the racist abuse, oversurveillance, and lack of responsiveness to community needs currently practiced by the police department. They explained that hiring local Black social workers, mental health clinicians, and traffic-enforcement staff will be essential to ensuring equitable interactions between Black residents and any new programs or city departments.

## **COMMUNITY-CENTERED VISION OF PUBLIC SAFETY**

***The focus group participants shared a common vision of public safety beyond the absence of crime as the presence of community health and equitable access to a higher quality of life for low-income, homeless, and Black and brown residents.*** The focus group participants expressed hope in the future of Berkeley and a desire to build close-knit, inclusive communities capable of taking care of all residents. Across the focus groups, the residents called for the city to make long-term investments in housing, educational enrichment, mentoring, health care, and job-training programs for youth and low-income residents. These, they maintained, would create authentic community safety. Other investment priorities include drug-treatment services, programs to interrupt recidivism, and prevention and advocacy to address gender-based violence and intimate-partner abuse.

***Black residents expressed willingness to work collaboratively with the City of Berkeley and the BPD on relationship building, reform, and reimagining efforts***, but in the meantime, they named a need for safety ambassadors who can act as a bridge between the Black community and the police. They expressed frustration about what they see as the city government's failure to listen to and act on their experiences and expertise when it comes to designing public safety strategies. Black residents believe they have a lot to offer when it comes to creating and implementing new programs and strategies and see their involvement in reimagining efforts as essential to increasing equity, reducing harms, and increasing safety.

***The focus group participants expressed broad support for and belief in the power of community-driven crime prevention strategies and expressed trust in community-based and faith-based organizations.*** They believe the city government should make deeper investments in the community-based organizations run by leaders of color from the community. In addition, marginalized communities want increased access to power in the city in the form of representation. They explained that seeing more Black, Latin, and people from low-income backgrounds who share similar experiences in city-leadership positions, on committees, and within the police department will make Berkeley a safer city.

## SUMMARY OF FINDINGS

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## RECOMMENDATIONS

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The following recommendations represent a compilation of the focus group participants' ideas for improving public safety.

### KEY RECOMMENDATIONS

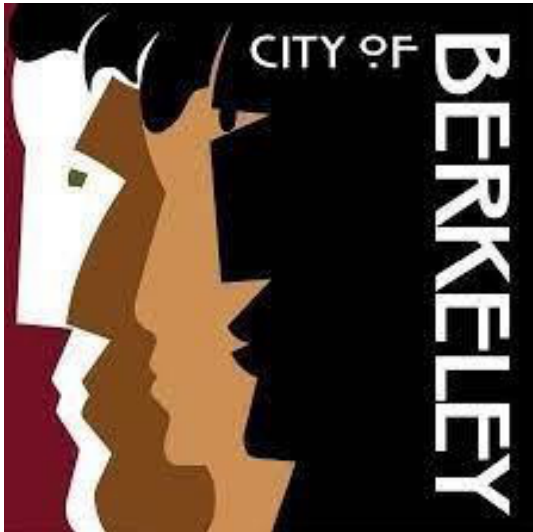
- € Expand the city's definition of public safety to include community health and equity
- € Prioritize long-term investments in housing, mental health care, and drug treatment for homeless residents
- € Increase investments in community-based and peer-led crime prevention programs
- € Create 24-hour street teams to provide medical and mental health care in communities
- € Invest in community-based drop-in centers
- € Train community peacekeepers and create community safety patrols
- € Hire local Black social workers, mental health clinicians, and traffic-enforcement staff to support equitable interactions between Black residents and any new public safety programs
- € Streamline the role of the police to focus on violence prevention and intervention and responses to emergency calls for service
- € Increase transparency and accountability of the BPD regarding racially disparate policing
- € Increase opportunities for positive police engagement with Black and Latin community members and youth
- € Identify opportunities to partner with impacted communities on reimagining public safety strategies

- € Prioritize the representation of Black, Latin, youth, and criminal-justice-impacted individuals, as well as people who've experienced homelessness, in city leadership, police-department staffing, and committee appointments

## CONCLUSION

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The City of Berkeley and the Reimagining Public Safety Task Force are well-positioned to use their power and positionality to develop a community safety model that reflects the needs of the community, reduces inequities and disparities, and creates increased safety for all. This report summarizes the key findings from the focus groups conducted in the spring and summer of 2021 and represents an important step in building understanding of community strengths, needs, and public safety priorities.



## **CITY OF BERKELEY: REIMAGINING PUBLIC SAFETY SURVEY— COMMUNITY PERCEPTIONS**

*Latin Community Perceptions Summary of Findings—July 2021*



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## INTRODUCTION

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The City of Berkeley is working to develop a community-safety model that reflects the needs of the community and creates increased safety for all. In collaboration with the National Institute for Criminal Justice Reform, the City of Berkeley, and the Reimagining Public Safety Task Force, Bright Research Group (BRG) developed and conducted a community survey to gather residents' experiences with and perceptions of the Berkeley Police Department and crisis response, perspectives on and priorities for reimagining public safety, and recommendations for alternative responses for community safety. This report summarizes the key qualitative findings from survey respondents who identified as Latin.

## METHODOLOGY

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A total of 2,729 survey responses were collected between May 18 and June 15, 2021. The City of Berkeley, the Reimagining Public Safety Task Force, community-based organizations, and other key partners disseminated the community survey through various online channels and websites to those who live, work, and study in Berkeley, in English and Spanish. Respondents completed the survey online.

The survey included the following six open-ended questions related to community perceptions of safety and preferences regarding public safety strategies:

- What recommendations do you have to improve police response?
- Please share examples of how the Berkeley Police Department has *worked well* in your community.
- Please share examples of how the Berkeley Police Department has *not worked well* in your community.
- In what ways could the Berkeley Police Department work to build more trust with the community?
- What other programs and services do we need to invest in within our community to ensure a public safety system that works for all?
- Please share any experiences you have had with mental health and/or substance use crisis response services in Berkeley.

During the research design, Bright Research Group worked with the National Institute for Criminal Justice Reform and the Berkeley City Manager's Office to identify several priority populations for engagement beyond the community survey. The McGee Avenue Baptist Church; the Center for Food, Faith & Justice; and the Berkeley Underground Scholars facilitated outreach to the identified priority populations. Bright Research Group conducted a series of focus groups to gather their perspectives on the current state of public safety, the role of the Berkeley Police Department (BPD), and the future of public safety. Although the focus groups engaged 55 individuals, Latin residents were not well-represented. In order to learn more about the priorities of Latin residents, BRG analyzed the qualitative data responses from survey respondents who identified as Latin. Of the 2,729 survey respondents, 126 individuals identified as Latin. BRG conducted a thematic analysis by qualitative research question. This report documents the key findings and recommendations from this thematic analysis.

*Limitations:* Of the 126 Latin respondents, only 2 completed the survey in Spanish. This suggests that the opinions, experiences, and preferences of recent immigrant, monolingual Spanish speakers are under-represented. Latin respondents were under-represented in the survey responses and these results may not be generalizable to the city as a whole.

## FINDINGS

### COMMUNITY PERCEPTIONS AND PRIORITIES FOR SAFETY IN BERKELEY

**When it comes to feelings of safety in Berkeley, the survey respondents expressed significant concerns related to their safety and the safety of their family members and were dissatisfied with the city's response.** Many Latin survey respondents associated the homeless crisis with feeling unsafe in Berkeley. Respondents described homelessness as the source of crime and reason that Berkeley is unsafe. Respondents recounted instances of street harassment by unhoused residents and expressed frustration that many parks, streets, and neighborhoods including downtown are not usable due to blight and on-going street harassment associated with the homeless population. The current state of public spaces in Berkeley negatively impacts Latin residents' quality of life and influences their decisions about how they and their children move through the city. In addition, some Latin respondents expressed concerns about traffic safety and violent crime including gang violence, robberies, and shootings in Berkeley.

Overall, Latin respondents expressed dissatisfaction with the city's current approach to public safety and shared a common expectation that city leaders should prioritize cleaning up streets and public parks, installing additional lighting in neighborhoods, improving traffic control, and urgently address the issue of a growing homeless population in Berkeley. Additionally, they called for increased gun control, investments in youth prevention and intervention programs, and more visible police presence, such as officers patrolling on foot and bicycles.

**Latin survey respondents lifted homelessness and the housing crisis as the most critical public safety issues in Berkeley but expressed divergent views about the best way to address the issues.**

Many respondents expressed dissatisfaction with the city's current response to homelessness in Berkeley. While residents concurred that the city's current response to homelessness is inadequate and needs to be reconstructed, they offered a wide range of solutions. Recommendations ranged from enforcing a zero-tolerance approach to illegally parked RV's, criminalizing substance use and removing encampments to investing in upstream efforts to tackle homelessness and mental illness, such as investments in affordable housing, therapeutic services, and living wage employment.

**When asked about the crisis response system, Latin residents offered few perspectives related to the current crisis system. Instead, they wanted the city to address the root causes of homelessness such as affordable housing, economic opportunity and treatment options.** When asked specifically about their experiences with the existing crisis system and the city's response to calls for service associated with homeless services, mental health, and substance abuse, a small number of respondents offered feedback on the existing crisis response system. Many responses

"The city needs to have actual housing with requirements for homeless and facilities that can actually deal with mental health issues as well as drug and alcohol issues. The current county systems do not work."

—Resident

"The level of people experiencing homelessness that are directly affecting people's day to day lives has gotten to a tipping point. From being accosted on the street to having to swerve while driving from people in encampments....we need to address the homeless issue immediately!"

—Resident

collapsed mental health, substance use, and homelessness and expressed frustration with the city's inability to identify and implement solutions. For those who did share personal experiences with the current crisis response system, there was a range of opinions about its effectiveness. Some respondents dealt only with the police during a mental health crisis and felt that they were professional and efficient while others expressed an unmet need for a counselor or clinician. A few respondents described positive regard for a collaborative team that includes the police and a mental health professional during crisis situations.

Overall, respondents focused on the need for long range solutions that prioritize early intervention, prevent crisis from occurring, and support people in achieving and maintaining sobriety, stability, and housing. They expressed frustration with what they see as a revolving door of people in and out of justice and mental health systems and called for strategies that effectively stop cycles of violence and recidivism, chronic homelessness, and drug abuse. When it comes to investments, respondents expressed diverse views. Some articulated growing frustration with the tax burden associated with program investments and believe that Berkeley attracts people from out of town struggling with homelessness, mental health issues, and substance abuse because of the city's tolerant attitudes and readily available supports. Others named the need to increase investments in long-term care facilities, treatment programs, therapeutic services, and job training.

## COMMUNITY LENS ON THE BERKELEY POLICE DEPARTMENT

**Latin respondents expressed a wide range of perspectives regarding their overall satisfaction with the police with many expressing positive perceptions of the police.** Many respondents held favorable views of the police and experienced positive interactions with BPD; they described the police as responsive, professional, effective, and supportive of community safety. Some respondents with favorable views of the police expressed a belief that the current political climate and movement to divest from policing does not represent the majority of residents' views. Additionally, respondents conveyed frustration with the city council who they characterized as a hindrance to effective policing. They believe that the BPD should focus on increasing community safety through crime prevention, intervention, and response. Some promoted a tough on crime perspective and expressed a belief that the BPD are mismanaged, over-controlled, and under-appreciated by city government. These respondents called for increased police presence, more investment in community policing, and proactive policing.

Latin respondents who held unfavorable views of the police, cited slow response times, inability to prevent and solve crimes, and harassment of residents as the most salient features of the BPD.

**Respondents expressed concerns about racial profiling by the Berkeley Police and named it as a priority public safety issue.** This sentiment was expressed by respondents supportive and unsupportive of the

*"The department needs to be supported by our community and allowed to do their jobs rather than being hamstrung by members of the city council..."*

—Resident

*"The police have stopped members of my family in West Berkeley in what was clearly racial profiling (Hispanics) on several occasions ."*

—Resident



police and was recognized as an issue that must be addressed by the Berkeley Police Department. Many respondents described specific instances of racial profiling and overly aggressive interactions between Black and Latin residents and the BPD. Although a few respondents called for divestment from the police department, the majority of respondents expressed an expectation for a high-functioning, service-oriented, police department responsive to the needs of communities of color and capable of equitable interactions. They recommended training on implicit bias, racial profiling, cultural competency, community policing, and de-escalation and expressed an unmet need for increased transparency, greater community engagement, and positive interactions between the police and communities.

## SUMMARY OF FINDINGS

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## RECOMMENDATIONS

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The following recommendations represent a compilation of the focus group participants' ideas for improving public safety.

### KEY RECOMMENDATIONS

- € Prioritize clean-up of streets and public parks
- € Install additional lighting in neighborhoods
- € Increase traffic control, create car free zones and areas where speed limits are reduced
- € Focus on long-term planning to address homelessness
- € Identify early intervention and prevention strategies to prevent mental health crisis and substance abuse issues
- € Increase police visibility via walking and bicycle patrols

- € Reduce police response times to calls for service
- € Expand community policing initiatives and increase opportunities for positive engagement between the police and communities
- € Address racial profiling and aggressive police encounters by the BPD with cultural competency, anti-bias, and de-escalation trainings and deepened relationships between the police and communities of color

## CONCLUSION

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The City of Berkeley and the Reimagining Public Safety Task Force are well-positioned to use their power and positionality to develop a community safety model that reflects the needs of the community, reduces inequities and disparities, and creates increased safety for all. This report summarizes the key findings from the Latin survey respondents' answers to open-ended questions and represents an important step in building understanding of community strengths, needs, and public safety priorities.

# ABBREVIATED SUMMARIZED RESPONSES BERKELEY POLICE DEPARTMENT LISTENING GROUPS

**Facilitator Question:** *How do you respond when you hear the phrase or idea “Reimagining Public Safety”?*

Strong themes emerged around officer’s feeling a lack of voice or input, the Berkeley Police Department being compared to or attacked for incidents that happened elsewhere, or not being recognized for policies and programs that have been in place for years that other departments are just now enacting. Officers recognized the community may have ideas as to how to change processes in the police department but wanted to be able to share their successes and efforts and not be seen as defensive especially around low numbers of complaints and uses of force. Officers expressed a clear desire to be a meaningful part of the reimagine process, and for their expertise and efforts to be heard, considered and valued.

**Facilitator Question:** *Officers we have talked with have agreed that police are asked to do too much, including non-police work. What do you think of this and are there responsibilities that should be taken off of your plate?*

Some officers felt there are definitely some calls, such as civil matters that police would like to remove themselves from, however we are not sure the public understands the nuances of the job and the fact that BPD are currently the only operational response to many of society’s emergencies. Police investigations of crimes demand a great deal of department resources, as does the investment in police community engagement; we have to find the best way to do both with the limited resource of police officers.

Officers understand and appreciate that there may be alternative responses and services other than the police. While the infrastructure is created to possibly access those alternatives the community demand of emergency calls to the police will continue, and

the police response will be necessary. We need to continue to support the police department, while investigating possible alternatives that are realistic and viable, long-term solutions.

**Facilitator Question:** *What are your thoughts on having trained mental health providers/responders respond to disturbance incidents, like someone screaming outside of a business, but is not harming or threatening anyone?*

BPD currently works with Berkeley Mobile Crisis Team (MCT) members, who have been part of our culture at BPD for over 40 years. MCT members are a valued part of our organization, and they will not go to calls without the police. MCT members are concerned for their safety without police presence, in fact a few years ago a suspect was charged with the attempted murder of an MCT member who was responding to a call of a person exhibiting symptoms of being in a mental health crisis.

Many officers regularly work with MCT and believe it is an effective and proven approach.

We need to fix the back end of the mental health system, the aftercare for a patient once they are placed on a 5150 hold has to be addressed. We will continue to see the cycle of hospitalization until the overburdened Mental Health system receives the support it so desperately needs.

**Facilitator Question:** *What do you think is the biggest crime problem in Berkeley?*

Property crime is a significant crime in the city, however of great concern to the community is the quality of life crimes which many times stem from mental health and/or addiction. People who are afflicted by mental health and/or addiction, are repeatedly contacted by the police because they are quickly released from custody/hospitalization, and

never have the opportunity to receive the proper interventions or support necessary to create the positive behavior change they may desire.

**Facilitator Question:** *What is the greatest need for improvement in BPD?*

We need a crime analysis unit to track and identify the who, what, when, where and why of crimes in our city, so that we may deploy the most precise and appropriate police intervention, thereby addressing the crime while leaving the smallest police footprint. We need police officers, as our police department is shrinking, the city population is increasing and those numbers just don't work as greater demands are put onto fewer officers.

**Facilitator Question:** *Comments from PEOs related to BerkDoT:*

The PEOs are the most diverse group of officers in the department and just moving the PEOs from the police department to transportation is not genuinely reimagining. The community shows more respect to the badge of the PEO, as the badge indicates we have gone through a validated hiring process which means we get quality people who are working as PEOs. When PEOs came to be under the police department in 1991 it changed the culture of PEOs and made the department more professional. Maintaining PEOs in the police department produces a more professional and respected workforce both internally and externally.

# REIMAGINING PUBLIC SAFETY BERKELEY MERCHANTS ASSOCIATION LISTENING SESSION

NICJR facilitated a Listening Session with the Berkeley Downtown Merchants' Association and the Telegraph Merchants' Association on June 2, 2021. Thirteen people attended the listening session. Following closely to the guidelines defined by BRG, the facilitators engaged in a robust discussion with participants. Below are summary findings from the Listening Session:

## Concerns over the Safety of Berkeley and the most pressing public safety issues:

Participants shared concerns over the safety of the City, the most pressing concerns their employees and patrons face, as well as their perceptions on how these concerns are being addressed. They expressed their disheartening perception that the city council and mayor are less than responsive to the needs of the business community and have allowed a permissive environment that creates the opportunity for crime to take place with an "apathetic enforcement policy". Some participants feel as though businesses deal with a lot of problematic street behavior with ambassador staff regularly called upon to respond to situations where merchants and shopkeepers can't deal with the situations. Sharing specific stories of people experiencing homelessness and/or substance use addiction attacking employees and customers and creating unsafe and unhealthy conditions, participants feel that the current environment has definitely had an impact on people who visit local businesses because they have to park around the corner, and walk to businesses.

*"It does not feel safe especially during the later hours of the day."*

## Addressing how these public safety issues should be approached:

Participants feel there is a contradiction in saying that we stand united against hate and we are reimagining public safety and allow people to smoke crystal methamphetamine on our streets. There is a fear that with continued acceptance of specific drugs being used on the streets that the incidents of people experiencing mental health breakdowns will increase and that a stronger use of punishment to deter this behavior is warranted. Some participants expressed the need for there to be a choice: we can choose to allow those drugs to be used and then we can expect more violence or we can actually take a stand against that.

Additionally, members of the business association feel that prevention is what's going to shift the environment. They recognize that the City of Berkeley has mental health services but feel they are really not getting support from the city, when they have seen the mobile crisis unit drive away from a situation because it was deemed that no one was an immediate danger to themselves or others. There is a perception that there is no follow through with identifying a person with a problem and then going forward with next steps.

*"We need to focus on Berkeley Mental Health as an institution and get them more deeply involved with the police department and the community."*

## Community investments that would support increased public safety:

The participants engaged in a discussion around the complexity and depth of the issues that need to be addressed, for example, where do those experiencing

homelessness go? At the same time, there is an acknowledgement that businesses are seeing a drop in patrons and employees because of safety concerns.

In response to questions regarding a trained, alternative, civilian response that was trained to be able to engage with this population and might include people who have had similar experiences of being unhoused, the Berkeley Mental Health department was identified as already available, but having been less visible downtown, limited in their ability to take valuable, sustainable steps to help someone in crisis unless there is a direct and immediate threat of harm and/or unsupported by the city in recent years. A participant identified the call center now under construction near a local synagogue and expressed the desire to see the community do more of that type of thing. A suggestion was also made that the City should look into a policy that can allow the mental health units to take more initiative.

### Addressing the ways in which the Berkeley Police Department currently works in the community:

A general sentiment was that merchant interactions with the police have been very positive, yet there is often a hesitation to call on them for concern over unnecessarily escalating a situation. Concern was expressed that there is a national narrative demoralizing police departments as a whole and police departments are not given the tools they need to do their jobs. In Berkeley it was expressed that there was a shift in the amount of police presence and response in the community and that police officers were told by the City to not do anything.

In addressing some areas where the Berkeley Police Department's presence has been particularly effective, the bike detail was mentioned with the sentiment that this unit is about community policing and they get to know the street population and merchants which is helpful in problem solving and helping people. The Ambassador program was also identified as a unit that is helpful in de-escalating individuals in crisis, and working well in collaboration when police officers are present. With the CAHOOTS model and the SCU - the biggest issue participants feel the City faces is beds and how to get people into

care 'with a little bit of tough love'. The possibility was raised of mental health professionals and police officers working together when responding to a situation.

*"I have great support for what the bike detail is doing since they have been back on the force. They have a calming effect for a lot of the folks out there that get a little wild, actually seeing a person in a position of authority calms them down."*

### BerkDOT and SCU Program Opportunities:

There was a desire to learn more about exactly how these programs would be able to best serve the community with the current policies in place. Additional concern was expressed with the national narrative and how the City of Berkeley needs to ensure that whatever changes are being made, need to address the specific issues and needs facing the residents of Berkeley.

With respect to the BerkDOT program a participant shared: "I don't understand why that was even thought of. It just seems like we are focusing energy away from the problem, which is the fact that we have a ginormous mental health, drug, and homelessness problem in Berkeley. I do not agree that adding that additional agency would help the problem."

For the SCU, the specific need for case management and a presence in the community later at night was discussed. An overlap with the Police Department to partner with mental health workers in responding to situations and help assess whether SCU is reducing the number of calls and can cut back on the overload of the work of the Police Department. A suggestion was made for the SCU to work with both the Downtown and Telegraph Business Associations to identify the handful of folks that are causing a majority of the problems.

*"Until we enforce our sidewalk ordinances, until we make people go to sanctioned encampments, stop the revolving door of violent crime and until we stop the hard drug use and open-air Drug Market this is an absolute waste of your time and our tax dollars. Prevention first."*

## Visioning community-centered public safety:

Considering what public safety can and should look like, a question was raised asking for better use of vacant space to set up housing and full services that could be helpful for as many Berkeley residents as possible. It was expressed that Berkeley has an abundance of laws and ordinances currently that don't get enforced, which is helping to create the unsafe environment that exists. Therefore compiling new variables instead of using existing laws to address the foundational issues did not sound like a good idea. There was frustration that participants themselves have invested hundreds of hours into issues of public safety and nothing ever gets done.

*“If you look at the relationship between what we pay in taxes and regulations and everything else versus what we get back, the disparity is anything but equitable and people love to throw the word Equity around in Berkeley.”*

# PEERS LISTENING SESSION REPORT

by Janavi Dhyani and Margaret Fine<sup>1</sup>

The Peers<sup>2</sup> Listening Session raised fundamental questions about how people who live with mental health challenges experience and perceive “safety” in the Berkeley community.

Throughout the Peers Listening Session the participants described their notions of “safety” in terms of their own safety; the safety of people who they observed in the community living with mental health challenges; their “safety” as a collective group of people in the “Peers community;”<sup>3</sup> and “public safety” at-large as a pressing societal issue such as homelessness.<sup>4</sup> The participants spoke about their interactions and perceptions of Berkeley police, and how that impacts their feelings of “safety” in their

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2 A **Peer** is a person who self-identifies with lived experience with mental health challenges, substance use experience, and/or someone with experience navigating the public behavioral health care system.

3 The **Peer Community** is composed of diverse people who use their lived experience with mental health challenges, substance use experience, housing challenges, and/or navigation of the public behavioral health care system to increase peer-led support and services for people in the mental health community. The Peer Community is also active in de-stigmatizing mental health challenges, and normalizing wellness and recovery.

4 For the purposes of this report, **homelessness** is defined as housing insecurity ranging from being at risk of losing housing, being in transition of unstable housing (i.e. staying temporarily in a housed location like a friend’s house or shelter, but not maintaining a personal address), or living in a location not intended to house humans (i.e. a car, an underpass, or in a tent).

community as Peers. Primarily they expressed their fears, based on lived experiences, interacting with police during a mental health crisis<sup>5</sup> in the community, and how a policing response generally had a negative impact on their ability to feel “safe” in Berkeley. Peers offered several recommendations about how they would like to experience “safety” including increasing their involvement as responders to mental health crises. It is noteworthy that additional research with Peers would be highly useful to account for the role of race, ethnicity, gender identity and expression, sexual orientation, disability, age, class and other factors, and their impact on a policing response to a mental health crisis.

Additionally during this Listening Session participants expressed the need for police to acknowledge when they are “wrong” in their treatment of Peers, particularly for purposes of establishing trust and rapport with the overall Peers community. Moreover, when discussing a non-police crisis response through a Specialized Care Unit (SCU) to non-violent events in the community, one participant said they “like the idea but it takes the onus off the cops to do better” and that it “still feels troubling, seems like a Band-Aid,” as opposed to addressing systemic mistreatment by police of people living with mental health challenges and overall within the Peers community. Based on the lived experiences expressed during this Listening Session, it is indicated there is a need for a reconciliation process, particularly as a response to traumatic experiences with police. A reconciliation process, as well as a restorative justice process, with people living with mental health challenges may help build trust and rapport with police officers in the future.

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5 A mental health crisis is an umbrella term that may refer to: 1) different levels of personal distress such as anxiety, depression, anger, panic and hopelessness; 2) changes in functioning including neglect of personal hygiene, unusual behavior; and/or 3) life events which disrupt personal relationships, support systems, living arrangements, and result in victimization and loss of autonomy.



It is also important to recognize that the Public Safety Dispatch Operators in the Communications Center located at the Berkeley Police Department address emergency and non-emergency dispatch calls for service, including for people experiencing a mental health crisis in the community. It is understood that police act on their own accord responding to these crises in Berkeley; some police have CIT training (Crisis Intervention Training) and in some instances police co-respond with the Mobile Crisis Team (MCT) of the Division of Mental Health to assist people experiencing a mental health crisis in the community. The MCT currently operates in Berkeley for 10.5 hours/day, 5 days/week, excluding holidays (see City of Berkeley, MCT webpage). In the systems currently in place, it appears protocol mandates that police first secure the scene before an MCT clinician can step up and support the person experiencing a crisis (including to interact with an individual experiencing an “altered state of consciousness”).<sup>6</sup> Please kindly inform if incorrect. It is noted that the Fire Department, including an EMT, may also respond to mental health crises in the community with other first responders or on their own accord.

In addition, there were participants at the Listening Session who have used emergency services to address a person experiencing a mental health crisis, saying that “I’ve had to call the police on people with mental health issues and it broke my heart and that is something I would not like to do.” Indicating that folks did not feel proud of their decision to call emergency services, knowing that police would arrive, but did so because they did not feel like they had alternative options to provide that person with appropriate support.

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<sup>7</sup> 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. There is a need for people with mental health challenges to provide nuanced input about their perceptions and experiences in this context, particularly given that a “crisis” can be used as an umbrella term for diverse array of human behavior; and the role of race, ethnicity, gender identity and expression, sex, sexual orientation, disability, age, class and their intersections can impact the nature of a policing or co-responder crisis response in the community.

Further participants talked about their own lived experiences with police during a time of crisis and whether they felt “safe,” as well as their overall perceptions and feelings about them. Specifically, the main emerging themes included their perceptions and experiences about: 1) officers unease connecting with people experiencing a mental health crisis; 2) feeling stigmatized as dangerous and regarded so by officers; 3) the role of de-escalation if any; 4) feeling traumatized or re-traumatized by police during a mental health crisis; and 5) recommendations to improve mental health crisis response in Berkeley. At the outset it is noted one participant felt treated “pretty good” by police despite run-ins over four years.

Another participant talked about witnessing the police when someone was lying on the ground. He described how the police, fire, and ambulance showed up, “asked the person do they know where they are, asked them a variety of questions, stayed there with them, and even seen them give them a blanket before.” However among many experiences and perceptions described during the Peers Listening Session, these experiences were outliers.

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<sup>7</sup> In the State of California, a 5150 is “when a person, as a result of a mental health disorder, is a danger to self or others, or gravely disabled, a peace officer, professional person in charge of a facility designated by the county for evaluation and treatment, member of the attending staff, as defined by regulation, of a facility designated by the county for evaluation and treatment, designated members of a mobile crisis team, or professional person designated by the county may, upon probable cause, take, or cause to be taken, the person into custody for a period of up to 72 hours for assessment, evaluation, and crisis intervention, or placement for evaluation and treatment in a facility designated by the county for evaluation and treatment and approved by the State Department of Health Care Services. See WIC 5150(a).

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<sup>6</sup> An altered state of consciousness may be defined as a temporary change in the overall pattern of subjective experience, such that the individual believes that his or her mental functioning is distinctly different from certain general norms for normal waking state of consciousness.

## Section 1: Peers and Mental Health Crisis Response

### I. *“Really important to speak their own language”*—participant

#### Peers indicated the importance of understanding and empathy during a crisis.

During the Peers Listening Session some participants raised questions about how police approach them and/or other Peers in the community. They discussed their perceptions and feelings about being seen as “public safety threats;” and generally as something to be controlled rather than human beings who need emotional “safety” to resolve their crisis. In

particular, the participants expressed their fears of being met with police violence instead of with compassion and empathy for their plights. The notion of “safety” ranged from people feeling exceedingly vulnerable and “unsafe” while experiencing a mental health crisis in the community to a wide variety of crisis responses (based on actions, words, physical harm, and/or lack of response/over response) by police to them. Overall participants mentioned that most people experiencing a mental health crisis are not violent.

Consequently, it is critical to further explore how Peers would describe developing a human connection, and develop trust and rapport, with a distressed person in terms of defusing a situation. People living with mental health challenges may experience a non-threatening altered state of consciousness and the police presence may exacerbate the intensity of their situation. Instead, Peers indicated that it would be more effective to make a human connection with the distressed person and de-escalate the situation so they felt “safe.” Moreover, public safety dispatch operators and police officers may not be trained to understand the intersecting challenges and systems that may be contributing to and/or exacerbating the Peer in crisis and the mental health community as a group.

Specifically, one participant commented that Berkeley police are “not ready to deal with people who are upset with emotional disturbances,” and that people in crisis “don’t need violence when people

are angry” to resolve their crisis. Another participant felt the police “get scared of mental health” and said they “need to not be afraid of people, people who are eccentric.” This participant spoke to the stigmatization of the Peers Community, and

the need for additional training and public education about how to interact with community members who interact with the world differently than they do. Peers indicated the need to further explore the types of human behaviors that meet the 5150 standards and/or constitute criminal behavior, as opposed to other behaviors that may not fall within social norms but do not pose a threat to the public.

A second participant expressed concern that “some cops [do] not feel safe...don’t speak a whole lot.” She commented about feeling “really uneasy” when you need “someone to talk more, like hostage negotiator, convey sort of friendship and comradery.” She discussed seeing someone “high energy, manic, talking real fast, as an opportunity for person in the crisis to grow rather than shut down with drugs, incarceration, hospitalization,” and stated,

“we need to learn, develop a field of knowledge of people in altered states.” This participant alluded to a common understanding in the Peers Community that mental health crises can bring about positive change for the person involved and should be allowed to occur in a safe setting when possible. There is a need to further explore perceptions and experiences of people living with mental health challenges to better understand the nature of stigmatization, and how it impacts a policing and mobile crisis response, especially when addressing intersecting identities of Peers based on race, ethnicity, gender identity and expression, sexual orientation, disability, age, class, and other factors.

This same participant attributed the lack of human connection exhibited by police with people experiencing a mental health crisis “as most cops [are] not trained that way.” The participant went on to say that police officers “use major tool like [a] gun and bullets; something startles them, go for the gun.” The point was further underscored by another participant, who stated based on their experience with police, “that it is always with guns;

it's a threat, always a threat of violence out there, police come with their guns," and that we are "much better served with people not heavily armed, I don't know how, I think the conversation and non-violent tactics." It is noted that the lack of Peer involvement in the training of police officers, and the resistance to use Peers in the response to mental health crises, can inhibit responders from understanding how Peers would like to experience "safety" in a time of crisis.

Participants talked about the lack of Peers in crisis response, that Peers have been left out of the conversation, and that for crisis response to improve, trained Peer Specialists<sup>8</sup> need to be involved. This perspective became clearer when talking about the Specialized Care Unit (SCU) program that Berkeley will be implementing as a non-police crisis response in the community. Everybody in the group generally liked the idea of non-police responders to non-violent calls, however, with two exceptions: 1) one person named that without retraining police officers, police would still respond in public with the ability to cause harm; and 2) that Peers would feel safer if the SCU team included Peers. The importance of Peer staffing on the SCU team was highlighted by different participants.

***"Facilitator: Who do you think should do the training for the SCU?"***

<sup>8</sup> A Peer Support Specialist is a peer (a person who draws on lived experience with mental illness and/or substance use experience and recovery) who has completed a specialized training to deliver valuable support services in a mental health and/or substance use setting and/or in the community. According to the Peer Certification Fact Sheet from Senator Jim Bael on SB 803: "Studies demonstrate that use of peer support specialists in a comprehensive mental health or substance disorder treatment program helps reduce client hospitalizations, improve client functioning, increase client satisfaction, alleviate depression and other symptoms, and diversify the mental health workforce." As of SB 803 Peer Support Specialist Certification Act of 2020, Peer Support Specialists in the State of California will have a standardized certified body to regulate and certify Peer Support Specialists. SB 803 will allow Peer Support Specialists to bill Medi-Cal for the services they offer to their peer partners in the State of California. With SB 803 California will join 48 other states in the country that have peer certification programs as part of their Medicaid behavioral health network. [https://namisantaclara.org/wp-content/uploads/2020/09/SB\\_803\\_Beall\\_Peer\\_Certification\\_2020\\_Fact\\_Sheet.pdf](https://namisantaclara.org/wp-content/uploads/2020/09/SB_803_Beall_Peer_Certification_2020_Fact_Sheet.pdf) [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=2019202005B803](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=2019202005B803)

***Participant 1: Someone with lived experience.***

***Participant 2: I agree.***

***Participant 3: I agree. I totally agree."***

During the Listening Session, it became clear that the Peer participants could clearly identify that it was important for the crisis response training to include people who have lived experiences alongside other first responders as a team. Another participant explained the importance of peer specialists for training by saying, "***What better person can teach them how to respond, body language, than someone who is on the other end and who has walked the walk, and already been through it.***" The participants seemed to be in agreement that one Peer could not respond to crisis situations alone, but was an essential part of the team in both training and in-person response situations. Moreover, participants underscored the importance of Peer-involvement in ongoing post-crisis support to "***Make sure there is continuity of care***" and pointed out that "***The peer specialists are helpful for transition to a wellness center or the next social service.***" This continuum of care would include: wrap-around services and support in navigating the intersecting and often complicated systems of care (i.e. housing, public benefits [SSI, SSDI, SNAP, GA, Medi-Cal, Medicare]; disability; health, mental health, and substance use support; meal assistance; support groups; drop-in services; community programming; employment support). There is a need for further input from people living with mental health challenges about the community-based services they use in Berkeley and Alameda County, particularly ones considered to be compassionate and effective in providing tailored culturally safe and responsive services.

## ***II. "When I see police, it can be triggering, it can be negative, not friendly" – participant***

### **Peers indicated a history of mistrust towards police officers.**

In addition, there were emerging themes about how people living with mental health challenges have experienced police as threatening, which may perpetuate and reinforce trauma in responding to

mental health crises. One participant stated that “many people have negative feelings on police” and when they see police “it can be triggering, it can be negative, not friendly, open.” Another participant “witnessed police in action in Berkeley,” and said they did not want police on mental health calls, as they were traumatized to the point of seeing police in a “whole different light.” Yet another participant stated that “So many of us have been harmed when we are treated when we are in crisis” and mentioned Soteria House, a community service that provides space for people experiencing mental distress or crisis, as a recovery model. Other participants also discussed how drop-in centers can offer this space, provide a restroom, a cup of coffee, and a welcoming space in which the person can get their basic life needs met and make meaningful connections with other Peers. Peers indicated that distress could be better met by safe spaces in which a person is allowed to move through the emotions they are feeling without fear of judgment, retaliation, or incarceration while being met with basic life needs (food, water, bathroom, a sense of safety, and human connection). There is an essential need to explore how a Peer can feel “safe” transitioning from experiencing a crisis in the community to a respite space with the support of a Peer specialist and other responders, as opposed to feeling treated as dangerous and in need of social control and being subdued.

Participants further talked about how the presence of police could exacerbate the intensity of personal distress and create feelings of extreme terror and instant fear of extinction, as opposed to creating ones of emotional “safety.” While the participant did not describe the basis for officers’ arriving at the scene, he described his feelings about a police response by stating “it is multiple police cruisers, you feel like the world out to get you and annihilate you, officers are intimidating, 3-4 cruisers with multiple cops, very, very troubling and high-risk situation.” This feeling of being responded to, instead of being met *with*, is a sentiment people shared. One participant said that “If someone is having a mental health crisis, sit **with** them and let them be.” Peers indicated that they are not “safety threats” that need to be responded to, rather they are humans that need to be met and supported *with* and *through* a situation they are not able to safely endure alone. It would be beneficial to

further understand when Peers perceive their own behavior as threatening and how they expect first responders to interact with them as a result.

### III. Policing and mental health crisis response

During the Listening Session, it was clearly conveyed by the majority of the participants that police officers should not be the first responders to mental health crises. When asked what situations police would be able to respond to appropriately, the Peer participants discussed when they would feel police intervention may be necessary. Overall there was a range of different perspectives about the role of the police officers in the mental health community. Initially, Peers felt police officers need specific training for crisis response. One participant questioned the amount of de-escalation training that police receive as he regarded it as the “major pain point” in defusing a mental health crisis. In this light, another participant asked about situations where a person may have a weapon and the type of response to them.

Another participant indicated having a mental health person upfront and police shadowing if needed. A fourth participant stated he would want police if his car was burglarized, but he wants a skilled person with lived experience to respond and police second to ensure safety if needed. This area deserves considerably more exploration about the nature of situations where people with mental health challenges may feel police need to respond. Generally, participants suggested that there may be different people and/or teams responding depending on the type of situation. There is a further need to explore the nuances of specific situations among people living with mental health challenges in order to better understand from Peers when they perceive certain types of teams responding to a mental health crisis in the community. Moreover, there is a need for Peers to discuss their lived experiences and perceptions of crisis response; the role of race, ethnicity, gender identity and expression, sexual orientation, disability, class, and age; and its impacts on police response to those living with mental health challenges.

#### **IV. De-escalation is the “Major Pain Point”—participant**

**Further research is needed with people who live with mental health challenges, including the PEERS community for understanding peer-informed/peer-created de-escalation practices.**

There is a critical need to have a nuanced understanding about how people with lived experience of the mental health crisis in the community describe levels of personal distress such as anxiety, depression, anger, panic, and hopelessness and how to meet their needs for “safety,” as well as how changes in basic functioning can impact the capacity to stay “safe” and not be a danger to themselves or others, or deemed gravely disabled—the 5150 involuntary hold standard in California. Depending on the type of crisis response provided to individuals experiencing distress, the physical and psychological impacts on “safety” may vary widely. They can range from de-escalating crises using specific mental health practices to using coercive controls and force to restrain individuals in crisis. In the latter circumstance, an individual may be restrained, arrested, taken into custody, transported, put in secure detention and there may be violence, brutality, or even death. It is critical to extending this research in order to clarify the levels and types of personal distress, and how they impact functioning according to Peers who are living with mental health challenges, and the types of crisis response that work for them in the community.

There is a specific critical need to explore the degree to which police approach a distressed person and defuse the situation versus using coercion, particularly during 5150 assessments. Both commissioned consultants, National Institute for Criminal Justice Reform and Research Development Associates, should account for the role of police and policing interactions when conducting research with people experiencing mental health challenges and providers, particularly to understand how people can work collaboratively with providers in order to facilitate productive relationships. Whether the research focuses on police interactions with people experiencing mental health challenges in the community on their own accord or

when corresponding with the Mobile Crisis Team of the Division of Mental Health, police play a significant role and impact the nature of crisis response. Without this key data, the consultant researchers will be gathering unrepresentative pieces about a comprehensive crisis response system that operates at all times with the police. Moreover, people living with mental health challenges may have lives that interplay among multiple systems, including policing and mobile crisis response systems, and it is critical to understand the overarching impacts and how to support their well-being and recovery.

During the Peers Listening Session, participants had overriding concerns about police choosing to use violence and guns as a first resort during a mental health crisis in the Berkeley community and not communication and non-violent tactics to de-escalate the situation. It is further important to gather data about policing behavior and accountability during Mobile Crisis Team calls. Gathering this data is essential to the Reimagining Public Safety Initiative and the Specialized Care Unit for the City of Berkeley and the overlap among systems means we need to include not only these inherently critical pieces but analysis about how the systems interplay and impact people living with mental health challenges and their well-being and recovery.

Overall crisis response to people experiencing mental health challenges in the community requires a commitment to conducting empirical research that is nuanced so we understand the complexities required to properly serve and protect all of our community members. It is clearly evident that the role of police during a mental health crisis is a turning point for people with mental health challenges in the community and we must thoroughly understand the nature of their police behavior in order to begin healing. It is further important again for people with lived experience of mental health challenges to have restorative justice and reconciliation processes to describe events such as police responses to their crisis and how they can disrupt relationships, social networks and communities, living arrangements, and other mainstays of personal life, as well as to understand when a police crisis response is necessitated for “public safety” reasons in the Berkeley community.

## Section 2: Peers and Homelessness

Several participants considered “homelessness” as one of the most pressing public safety issues both in Berkeley and generally. Participants shared their perspectives based on: 1) lived experiences of homelessness in the past; 2) living as a housed person with unhoused neighbors and/or 3) being Peer advocates for partners with housing challenges. One person saw the homeless conditions such as lack of safe water, toilets, rodents and other problems impacting both those housed and homeless. She had mixed feelings about the encampments, particularly given the chaos and havoc at night. Another participant talked about how he “enjoyed living on fringe of society without any accountability, really free, [but said] looking back, I was really incarcerated.” He is now housed.

Generally the participants felt it was “unsafe” to be homeless and even harder for people living with mental health challenges. For people living with mental health challenges and homelessness, one participant described their difficulties: “the ones that have had problems, have gone through what they have gone through, makes [it] harder to want to be in a home...” Another participant further talked about the intricate nature of homelessness, and the intersectional approach necessary to meet the needs of unhoused folks. He was someone who experienced homelessness, as well as mental health and substance use challenges. This participant clarified how organizations may offer a free shower and food to “clean people up;” but are not designed to house people (using a Housing First model); provide wrap-around services; or job training for work.

A third participant talked about how homelessness does not “build healthy [a] community” as you’re “living where you shouldn’t really live,” while another pointed to issues like

“deprivation and exhaustion that these poor people go through.” Potentially further research with people living with mental health and housing challenges could inform how homelessness impacts the nature of people’s mental health challenges, and the type of services needed—one person suggested crisis management and conflict resolution. Another person had sympathy for folks’ experiences of homelessness

and having their possessions thrown away. Participants generally described the grinding efforts needed to survive, including constantly dealing with lack of necessities and fear of having their household belongings abruptly discarded.

In addition another participant talked about one of the driving forces of homelessness being the increase of housing prices in Berkeley, saying “gentrification and homelessness...Some people can’t afford to live in a home on their own.” This participant indicated that homelessness is not a challenge that can be met by services alone, but that economic disparity continues to play a role in people becoming unhoused. Another participant echoed this comment by saying, “most homeless people not [the] problem, situation drives it, it’s an economic thing.” He indicated that homelessness cannot be met with social services, but needs to also look at through an economics-informed lens.

A few participants discussed other services that were offered in San Francisco that they did not believe are currently available in the City of Berkeley. One participant liked that “In San Francisco they are doing foot patrol” and indicated it would be helpful to have people who provide services going directly to the unhoused in their community too. Another participant mentioned that in San Francisco “they have peers in the library” and said they liked that idea and that Berkeley might also benefit from having Peers in public spaces where unhoused people congregate. More about San Francisco’s street crisis response, that the participants may have been indicating, can be found here: <https://sfmayor.org/article/san-franciscos-new-street-crisis-response-team-launches-today>

It is important to indicate that further research is needed with the unhoused population to understand the intersecting nature of mental health and substance use challenges and homelessness, particularly to explore the nature of policing and crisis response and whether the systemic responses are service-oriented and/or designed to stigmatize and criminal human behavior or both. It is also important to further understand this intersectional approach as including exploration about the role of race, ethnicity, gender identity, and expression, sexual orientation, disability, age, class, and potentially other factors.

Although it is indicated that further research is recommended, the Peers Listening session did provide considerable insight on the intersection between mental health challenges and homelessness. The majority of the participants agreed that the most important pressing public safety concern is homelessness. One participant pointed out that “mental health crisis[es] and homelessness are synonymous,” and as such should not be treated as completely independent challenges. Within the challenge of housing insecurity, several other sub-concerns were addressed including: (1) the lack of intervention by systems of safety in Berkeley; (2) economic disparity and increasing housing prices driving long-time residents out of their homes; (3) lack of wrap-around services, and systems of care addressing challenges in isolation instead of as addressing homelessness as a product of other underlying challenges, which are often intersecting and multi-dimensional.

## Peers Recommendations

1. The first and most important recommendation is to outreach and includes Peers who have worked on mental health reforms since the 1990s, when this movement began. There are trained Peers in Berkeley who are experts in crisis response, and they would be invaluable to developing responses to mental health crises and supporting the transition to new systems of safety in Berkeley. This role is, especially, crucial for unpacking the scope and nature of mental health crises to provide a nuanced understanding, approach, and framework for responding with appropriate levels of care to people with mental health challenges in the community—particularly for a non-police crisis response through a Specialized Care Unit. Peer participants discussed the San Francisco Crisis Response Street Team, and how this city is employing Peer Specialists on foot patrol as part of its team.
2. Drop-in and wellness centers for people living with mental health challenges need sufficient funding and staff with full-time Peer Support Specialists where folks experiencing non-threatening altered states and/or mental health crises can move through their crisis in a safe and supported state (in opposition to tactics which aim to shutdown mental health and/or altered states at any means necessary). It would be essential to make drop-in and wellness centers available 24/7 and on holidays, and to make sure there are also Peers involved in the transit from the mental 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.
3. There is a need to account for intersectionality and the role of race, ethnicity, gender identity and expression, sexual orientation, disability, age, class and other factors that can impact the scope and nature of crisis response for diverse people living with mental health challenges in the community. It is, particularly, important to address the stigmatization of diverse people living with mental health challenges and how the role of these additional demographic characteristics may or may not perpetuate and/reinforce problems during a mental health crisis (including as to the roles of people such as police, fire, mental health clinicians, peer specialists responding in the community). There is a specific need to focus on interviewing diverse people with mental health challenges who are unhoused in order to explore the nature of policing and systemic responses to people, particularly to examine if human behavior is criminalized and/or met with service delivery.
4. There is a further need to account for overlapping systems of care, including medical, 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 mental health community. Housing-first methods, for instance, are only successful in addressing homelessness if the other factors that contribute to housing insecurity are also addressed such as mental health and substance use services. Overall creating comprehensive wrap-around services may be the key to addressing public safety concerns. Moreover, including people with lived experiences of mental health, substance

use, and homelessness will enable systems to be consumer-informed, and in turn more sustainable in the long term.

5. There is a further need to conduct research with people who use alcohol and drugs and have lived experiences with policing and mobile crisis response, as this qualitative research focused almost solely on people living with mental health challenges. It is crucial to consider the nature of trauma-informed, de-escalation and harm reduction approaches for people who use alcohol and drugs during crisis response in order to discern how service-oriented practices may reduce harms from alcohol and drug use and avoid punitive measures resulting from criminal legal and incarcerations involvement due to alcohol and drug use. Specifically there is a need to assess how systemic responses to people who use alcohol and drugs may result in fluctuating among multiple systems without well-integrated coordination of care.



# PACIFIC CENTER FOR HUMAN GROWTH

## LGBTQIA+ Staff/Provider Listening Session<sup>9</sup>

**Note:** The following information represents an LGBTQIA+ mental health provider’s perspective that serves Berkeley and other cities in Alameda County. It is important to note that by-proxy information can be useful in providing context for the systems that LGBTQIA+ people may navigate in order to obtain services, however, it cannot be used to assume the exact lived experiences of the individuals/clients using them.

## The Pacific Center for Human Growth

The Pacific Center for Human Growth, or namely the Pacific Center, is a LGBTQIA+ mental health provider serving LGBTQIA+ people, or Queer and Trans people including QTBIPOC, with individual, peer support and community mental health programs and services. The Center is designed to serve LGBTQIA+ people with mild to moderate mental health needs, and not those who are experiencing severe, persistent mental illness or substance use disorder, or in crisis. The Center operates from a Victorian house on Telegraph Avenue south of the University of California in Berkeley, California in Berkeley. Clients and community members come from Berkeley and other cities in Alameda County. Currently the Pacific Center offers a full range of programs and services remotely due to COVID.

## The Pacific Center as a Socially Constructed Space

The Pacific Center is well-known as the largest regional LGBTQIA+ mental health provider, including for its physical space located in a Victorian house and

the LGBTQ+ and Trans flags flying from outside of it. While the Pacific Center’s programs and services are designed to support Queer and Trans people, including QTBIPOC, with their mental health and substance use struggles, there have been incidents in front of the Pacific Center. There has been hate crime by people outside of the community that can be perceived as violently challenging the legitimacy of LGBTQIA+ people, as well as a negative incident from a person within the community who did not feel as though they were served.

In one instance a person burned a flag and punched one of the Pacific Center staff, and they called the police as a result of feeling scared for their safety—although the staff did not want to call. In another instance, a man yelled “You should have bi groups for people like me, for men like me.” He was a community member and upset that the Pacific Center staff did not meet his needs. This man seemed to feel unsafe and marginalized as a result of perceiving the Pacific Center’s services as excluding him. The Pacific Center staff felt threatened by people both inside and outside its own community. Likewise a Pacific Center provider mentioned people can feel scared entering a building marked with flags—some even wait in their cars until they enter the building. The socially constructed meaning of the Pacific Center space can challenge notions of “safe” space for Queer and Trans people who are seeking a sense of belonging to people violently challenging the existence and cultural representation of LGBTQIA+ people as a group in the community at-large.

More than one provider talked about the lack of Queer and Trans “safe” spaces in the community at-large, especially for transgender women of color, unhoused, youth and BIPOC. Historically the Pacific Center’s service model resembled more of an LGBTQIA+ community center (1980s-1990s). The Center had a men’s night and a hotline to call for assistance. Now the Pacific Center is closer to a mental health

<sup>9</sup> This report is developed from the Pacific Center’s Listening Session and a qualitative interview with a staff member who could not attend that session. Please contact Margaret Fine and Janavi Dyhani with questions or concerns: margaretcarrifine@gmail.com.

and medical model, although one person mentioned interest in a hybrid model. There is a further need to know more about how organizations, outside of the Pacific Center, can support and respect Queer and Trans people, and ways that they can be educated to include LGBTQIA+ community members and groups—from posting material in organizational settings to hiring experienced people from the Queer and Trans community, particularly for QTBIPOC. It was noted the Berkeley Wellness Center has not created time/space for Queer and Trans groups

### **Crisis Response/Intervention, De-Escalation and the Presence/Role of Police**

The Pacific Center staff had several comments and recommendations about crisis response and the presence/role of police:

This LGBTQIA+ provider listening session highlighted the critical need to have a nuanced understanding about how Queer and Trans people, particularly QTBIPOC people, describe their lived experiences with crisis response. There is a need to understand their levels of distress and how crisis first responders met their needs for “safety” or do not meet them. Specifically the providers discussed the role of police and how there may be psychological impacts as a result of the mere presence of police, or further escalation of a crisis due to the presence or role of the police.

One provider described how crisis response with police presence made her immediately think of trauma, including for everyone involved. She stated, “I think of families, traumatic for everyone, police show up, it makes a huge scene for the neighborhood, flashing lights, and then having to unpack it with families, clients...” She further commented about how people are resistant to services because of traumatic experiences, and how they need a calm, peaceful approach to addressing crisis and to abide by the ethical standard, “do no harm.” She mentioned it may require a lengthy time period to unpack the trauma.

In addition there was also a provider who dreaded if police were present and thought they tend to escalate a situation for a person who is feeling fearful and unsafe. Another provider commented that it takes time to de-escalate a crisis by talking to someone

in order to calm down at the scene, particularly so people in crisis do not perceive the team as seeking to incarcerate or institutionalize them. This provider described the “need to get rid of the urgency” or the notion of an “immediate solution” during the crisis response. The provider discussed how they should not immediately think about removing the person from public space, and avoid “twisting” the situation into a public safety and policing issue. Overall the provider stated there is a need for a “triage” approach to crisis management and not “moving from 0 to 60” in record time. This provider also had concern about how the “urgent” approach was “rubbing off” on the crisis management team/mobile crisis team.

One provider, who was very explicit about their feelings about the police, said: “I stay away from the Berkeley Police Department and advise young people to do the same. The Berkeley Police Department are not my friends, they are not people who I trust as an entity, and not people I say should be called for help. There are difficult situations in which there is a Queer Black Femme Cis Woman and warm violence, but the person does not want to call the police. Every single interaction will not lead to hot violence, but we know statistically that Queer Trans BIPOC people with mental health issues, who are disabled or developmentally challenged, are far more likely to experience violence, be harmed and be killed.”

This provider further brought up an important note that providers with lived experience similar to clients they serve (in this case Queer and or/Trans BIPOC provider serving diverse Queer and/or Trans clients) may also be shielding their clients from the police based on their own lived experiences. The provider brought up the importance of intersectionality when talking about police response, and additional identity markers that statistically place QTBIPOC people at risk—which is different from factors based solely on race and ethnicity and reflects non-binary gender identity and expression and non-heterosexual orientation. This provider indicated that the role of police would be that they support services to the community, especially LGBTQIA+ police officers supporting LGBTQIA+ community members.

Moreover, the provider recommended that crisis response workers have an accumulation of direct experience with Queer and Trans people including

QTBPOC. In this regard, one provider gave an example about how there is a need for a crisis team member to recognize a meth-induced episode, and understand the cycle of peaking and coming down in order to inform the crisis response, including to know the options for follow-up and the next step in care. The provider mentioned Herrick and John George will not individuals for substance use treatment.

One provider also commented on how diverse crisis team members can provide multiple opportunities for a person in crisis to: 1) gravitate towards one person and 2) feel a sense of safety, human connection and community. Some of the recommendations for crisis team members included people with different identity markers, lived experiences, and professional training (such as an EMT, peer support specialist, and a mental health clinician—noting that developing the critical rapport is not necessarily tied to education).

A provider added that having “a few different eyes to have different perspectives” can allow for assessing and consulting continually to help the person in crisis to feel safe and calm down. Another provider mentioned how peer support specialists are “great at telling when someone is triggered,” building rapport and being a role model for change, particularly when they represent the community served—and do not misgender people and create emotionally damaging experiences. Another provider recommended that the Specialized Care Unit, a non-police crisis response program, should be as separate from the police as possible. It was recommended to house the SCU in a human services department or other city department and not the Berkeley Police Department.

## “Public Safety”

**Note:** Providers cannot represent their clients’ perspectives in determining the most pressing “public safety” concerns in our community. One provider pointed this out by

saying, “I think that one of the most important factors is group determination, or rather the group’s ability to determine what feels like safety as a group. The violence is systemic, and the group must hold responsibility for telling us what the issues are, and what would be helpful solutions, to feel safety.” The upcoming listening session with LGBTQIA+

community members will likely provide better understanding about the most pressing “public safety” concerns.

In terms of violence being a threat to “public safety,” this provider talked about the two kinds of violence currently inhibiting “safety” for the LGBTQIA+ community: “There is hot and cold violence happening for LGBTQ folx and most marginalized Black and Brown people, especially Trans Femme Black and Brown people—most susceptible.” This provider was able to define the terms “hot violence” and “cold violence” as the following:

Hot violence is immediate, active, perceptible violence that touches you. It can be physical or verbal, very loud, aggressive, and immediately unsafe. Hot violence can change the dynamic in the situation instantly.

Cold violence is a more underlying source of violence than hot violence, and is more than a microaggression, like an intentional micro aggression. An example is a Queer Trans BIPOC looking for an appropriate bathroom and being surveilled by police. Cold violence reflects the way in which systems are set up by police to surveil and monitor human behavior where it does not feel safe to move around fear freely.

On the topic of intersectionality, one provider explained the importance of factoring in additional identity markers by saying “it is hard to conceptualize intersectionality, especially to understand how Queer Black women are different from Queer women and from heterosexual normative women. If you do not have lived experience, it is hard to conceptualize how positionality—how you present to the world—changes everything.” Given this perspective, it is important to ensure diverse Queer and Trans community members have the opportunity to define and explore their lived experiences in terms of race, ethnicity, gender identity and expression, sexual orientation, disability, age, class and other identity markers in order to understand the impacts of policing and notions of “public safety”—which is different from solely racial, ethnic and heterosexual norms.

## “Public Safety” as Having Resources and Support to Meet Basic Human Needs

In this Queer and Trans Listening Session, the providers discussed the conceptualization of “public safety” or “community safety” as not related to the police but rather to people having sufficient resources and support in order to have their basic human needs met and a stable life existence. Like many of the other providers, this provider recommends that the way to make Berkeley safer “is not rooted in police surveillance but rather rooted in resources and access to them.” Access to resources was a clear emerging theme when talking about the topic of “public safety” in order to create a sense of security for LGBTQIA+ people in Berkeley. One provider saying “The main point is to have resources so that there is a way to decrease people from feeling unsafe”.

## Wraparound Services

The Pacific Center providers further talked about basic needs in terms of food security, housing, mental health, substance use, wellness, wraparound services. There was a discussion about what constitutes wraparound services, and efforts to fully provide them. One provider referred to formally working at GLIDE where they had food, a free clinic, health services, acupuncture, and housing vouchers. One provider mentioned the term “wraparound” may be a misnomer; that it may mean referrals; and that organizations are pressured to use the term. It was also acknowledged that substance use is a significant problem in the Queer and Trans community, and that emergency rooms cannot provide tailored care for substance use problems.

## Housing and Homelessness

In addition one provider further noted that Queer and Trans people will arrive on the Pacific Center’s front porch from other states and need support to find housing. The provider described the individuals as very vulnerable and marginalized, and shelters as not designed for low-income, non-binary and transgender people. The staff mentioned how Queer and Trans people need a sense of autonomy and agency in order to feel safe in a shelter environment, and choosing a women’s or men’s side

of a shelter does not necessarily respect gender, much less prevent discrimination against non-binary, transgender people. (Note: There may also be gay, lesbian or bi-sexual people with another perspective, and it is noted that gender identity and expression are not separate or mutually exclusive from sexual orientation. A transgender person may also be gay, lesbian or bi-sexual.) In fact, one provider further described how police can raid encampments, which is very stressful and creates trauma, and results in more instability for the unhoused population than any sense of protection.

Moreover, it seemed people are not having a seamless entry into the government systems designed to serve them, and the Pacific Center does not have case management services to guide them in an ongoing, consistent relationship to meet these needs. The staff discussed how they’re understaffed, there are more referrals than staff available, and they’re under resourced for serving the Queer and Trans community. Sometimes they indicated it can prove difficult to connect to case management services in the wider community. Ultimately, the provider indicated LGBTQIA+ people may use an emergency room for ongoing services. They may also potentially become destabilized from being “pushed around” as a result of emergency room visits with no continuity of care and vulnerability to experiencing crisis—particularly for low-income, unhoused QTBIPOC.

We spoke to Queer and Trans mental health and community program professionals who are trained and educated to guide clients in navigating these systems; however they also described the systems as “not really clear” and that there are “blockages” due to grant specifications, which can deny service delivery to people who need them. Specifically, there were frustrations with how the narrow grant criteria could eliminate access to services for a person that is nominally above the income eligibility line. Other difficulties reflected the challenges that vulnerable, marginalized LGBTQIA+ people face when attempting to navigate intricate systems that are designed, ostensibly, to provide for their needs.

It is noted that there is considerable need for mental health workers, such as peer navigators, who can directly guide clients in navigating these systems—

particularly given the shortage of case management services available from CBOs in the community at-large.

Ultimately, as one provider mentioned, collaboration among service providers is key in to become a more well-integrated system with coordinated services tailored to meet client needs, including ones that are culturally safe and responsive.

It is important to do a follow-up listening session with the Queer and Trans populations as providers can shed light on critical issues they are unable to speak on their clients behalf. Further it is important to move forward with reforms using an intersectional lens that accounts for the overlapping and intersecting identity markers, which create inequities, disparities and systems of oppression for Queer and Trans people of color.

# Gender-Based Violence Subcommittee Report

Reimagining Public Safety Task Force, City of Berkeley

November 2021



**“Gender-based violence is endemic in our communities. In the United States, about one in four women and nearly one in ten men reported being impacted by sexual violence, physical violence, and/or stalking by an intimate partner. Globally, one in three women across their lifetime are subjected to physical or sexual violence by an intimate partner or sexual violence from a non-partner.”<sup>1</sup>**

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<sup>1</sup> <https://www.whitehouse.gov/wp-content/uploads/2021/10/National-Strategy-on-Gender-Equity-and-Equality.pdf>

## Overview

This subcommittee formed to identify the needs of community members who often face the most barriers when seeking help and safety. Historically, intimate partner violence, also called “domestic violence” or “domestic abuse,” was treated as a personal problem or family dispute. This view dismissed the community’s role and obligation in addressing these issues. In the last few decades, federal and state laws have passed, including the Violence Against Women’s Act (VAWA), to recognize the role the government must play in preventing and intervening in gender-based crimes. In October of 2021, the first ever report was released by the Biden/Harris Administration on a national strategy to address gender equity and gender equality.

And change starts here, at the community level. The City of Berkeley (the City) is uniquely situated to address gender-based violence in innovative ways. Berkeley has been seen as a place of change and progress, home to students, thought leaders, and academic experts at UC Berkeley, as well as its proximity to experts who call the Bay Area home. This subcommittee offers a number of recommendations that fall squarely within the City’s reimagining priority areas, including domestic violence prevention, restorative justice programs, housing and homelessness services, and expanding partnerships and community organizations.”<sup>2</sup>

## Information Gathered

This subcommittee hosted two listening sessions for providers who serve domestic violence, human trafficking, and sexual abuse survivors. The first listening session, hosted in September of 2021, focused on alternative non-police responses—eight organizations were represented at this session. The second session was hosted in October of 2021 and focused on police response—three organizations were represented. It is important to note that this subcommittee did not host any listening sessions specifically for victims and survivors. Because of the COVID-19 pandemic, the subcommittee was not confident in its ability to provide a safe remote space. The subcommittee erred on the side of caution and instead hosted spaces for providers to share their ideas, on behalf of the clients they serve. This subcommittee strongly believes that any work done by the City in this area, must be done in partnership with providers, who can help facilitate direct feedback from victims and survivors in a safe and supportive way.

In addition, subcommittee members reached out to the Berkeley Police Department for information on existing policies, and training. Specific questions were sent by this subcommittee to the department. Those questions and the department’s responses are included at the end of this report (see Appendix). All information gathered from this subcommittee, along with the expertise of subcommittee members, form the basis for the recommendations provided below.

## Recommendations

All recommendations put forth by this task force should be centered around the needs of people in our community. This means that people in our community need options to choose from to

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<sup>2</sup> [cite City resolution]

address their well-being and safety. Victims and survivors of domestic violence, human trafficking and sexual abuse can experience a number of barriers in accessing help and justice. Providing a range of options will ensure that these barriers do not prevent someone from achieving safety.

Barriers include:

- Limited or no English proficiency
- Impact of trauma
- Systemic racism and colonization
- Discrimination based on gender identity or perceived gender identity
- Discrimination based on sexual orientation or perceived sexual orientation
- Lack of affordable housing and access to other basic needs
- Being unhoused
- Fear of immigration consequences
- Lack of behavioral health resources
- Stigma and victim blaming

## Prevention and Intervention: Non-Police Response Recommendations

Recognizing that some people will not look to the police for help, the City should provide alternative services for community members seeking help. The City should also invest in prevention efforts.

This subcommittee proposes the following to address prevention and non-police intervention and resources (estimated costs on page 8):

1. **Increase the capacity of community-based organizations** serving Berkeley residents, students, and employees by providing additional funding. The City should consider providing grants to various organizations. Funding should be flexible so providers can decide the best way to support victims and survivors. This would include using funds for housing, childcare, transportation, and other crucial resources.

Rationale: 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.



2. **Train and provide technical assistance to faith-based leaders** on domestic and family violence issues.

Rationale: 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<sup>3</sup> in Oakland, and Korean Family Services in Los Angeles<sup>4</sup>. The latter has trained over 1700 faith leaders in the last 10 years.

3. **Provide services for people who cause harm.**

Rationale: 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.

4. **Prevention education for K-12 to provide, and coordinate prevention work**

Rationale: 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.

## **Intervention: Police Response Recommendations**

The Yurok word for police translates into “they take people”<sup>5</sup> illustrating the deep distrust certain communities have not only with the police, but the police as an arm of the government that colonized, enslaved, and took their children. To move forward, this subcommittee recommends strengthening the relationships of those most impacted by police action and most in need of safe intervention. Specific actions that the Berkeley Police Department and the City should take include the following (estimated costs on pages 8–9):

1. **Provide City leadership to host regular meetings and coordinate services.** The City should create a forum for service providers, advocates, community members and response teams (police department, mental health crisis) to address issues related to domestic violence, human trafficking, and sexual abuse. This group should meet regularly. City

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<sup>3</sup> <https://www.asafeplace.org/>

<sup>4</sup> <https://www.kfamla.org/upage.aspx?pageid=u06>

<sup>5</sup> <https://www.theguardian.com/us-news/2020/sep/25/california-native-american-women-police-violence>

leadership should also participate in county-wide efforts, like the Family Violence Council in Alameda County<sup>6</sup>

**Rationale:** 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.<sup>7</sup> Outreach should be done to ensure that BIPOC leaders are at the table.

- 2. Coordinate with court and other local law enforcement to implement new firearm and ammunition surrender laws.** Countywide coordination will be needed to implement Senate Bill 320<sup>8</sup>, which would require law enforcement to act quickly to enforce firearm and ammunition restrictions for domestic violence restraining orders.

**Rationale:** Starting January 1, 2022, local courts will be 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 would have to take all necessary actions to obtain the identified firearms or ammunition.

- 3. At least once a year, update the police department's domestic violence policies and victim resource materials,** in consultation with domestic violence and community providers.

**Rationale:** 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.

- 4. Regular domestic violence and trauma-informed training for officers, dispatch and any community-based officer** who responds to 911 or non-emergency calls. These trainings should be designed in partnership with community-based providers so that the

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<sup>6</sup> The Family Violence Council is led by the Superior Court of Alameda County, for stakeholders to improve coordination and cooperation between the court and public and private agencies. This body meets at least four times a year. For more information: [http://www.alameda.courts.ca.gov/Resources/Documents/2020-04%20Family%20Violence%20Council\(1\).pdf](http://www.alameda.courts.ca.gov/Resources/Documents/2020-04%20Family%20Violence%20Council(1).pdf)

<sup>7</sup> <https://www.cdc.gov/violenceprevention/intimatepartnerviolence/riskprotectivefactors.html>

<sup>8</sup> [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220SB320](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB320)

information is tailored to local needs and issues. This training would be in addition to statewide training requirements through POST (Peace Officer Standards Training).

Rationale: 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. **Victim resources should be in plain language and translated** into multiple languages, including, but not limited to, Spanish, Chinese (simplified), Tagalog, Vietnamese and Korean.<sup>9</sup> Other languages that are spoken in Berkeley should also be included.

Rationale: Provides more access to people who have limited English proficiency, do not speak English, or have low literacy.

6. **Domestic violence should be screened** for in all 911 and non-emergency line calls and by the responding officer, including community-based officers (e.g. CERN). This would include collecting information regarding the alleged victim and alleged suspect's relationship to one another.

Rationale: 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.

7. **A female officer (over a male officer)** should be provided to interview, examine, or take pictures of an alleged victim, at the alleged victim's request.

Rationale: 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.

8. **Police response to DV calls should be accompanied or coordinated with a DV advocate.** This could involve a victim advocate being present at the scene or a warm handoff to a victim advocate over the phone or immediately following a police response.

Rationale: 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

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<sup>9</sup> These languages represent the top five languages spoken in the Bay Area and California. At a minimum, victim resources should be translated into these languages.

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).

## Conclusion

Investments by the City to address gender-based violence could have a profound impact on the community, not only in preventing further abuse, but in building a future in which all community members feel safe at home, and in their communities. While this report in no way represents a complete list of actions the City could take to address gender-based violence, the subcommittee believes that these recommendations represent a significant step in the right direction. Of course, more information and input is needed, especially to address the impact of structural racism on victims, survivors and those that cause harm, as well as the experiences of LGBTQ+ members of our community. Forging partnerships and building meaningful community engagement will help support a response that is centered around the needs of the people.

Special thanks to the people who show up every day for victims and survivors. And many thanks to the organizations and individuals who participated in the listening sessions. Your time and expertise were crucial to this process. We could not and cannot do this work without you all.

Subcommittee members (in alphabetical order):

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Barnali Ghosh

Frances Ho

## Recommended Costs

### Prevention and Intervention: Non-police response

<p>1. Increase the capacity of community-based organizations</p> <p>(Fund 3-4 organizations to provide the services and resources mentioned on page 2.)</p>	<p>\$500,000</p>
<p>2. Training and technical assistance for faith-based leaders</p> <p>(This amount would be used to hire consultants to provide training and resources or provide funding directly to a number of faith-based organizations to hire experts directly).</p>	<p>\$50,000</p>
<p>3. Services for people who cause harm</p> <p>(Fund 2-3 organizations to provide services to people who cause harm (see #3 on page 3).</p>	<p>\$150,000</p>
<p>4. Prevention education for K-12 to provide, and coordinate prevention work</p> <p>(Fund one full-time person to increase prevention education by developing curricula and coordinating with all schools in the Berkeley School District. This would include working with student groups from Berkeley High School to develop peer-based education.)</p>	<p>\$125,000</p>
<h3>Intervention: Police response</h3>	
<p>1. City leadership to work on gender-based violence issues, including leading a forum for community providers and members.</p>	<p>In-kind from the City</p>
<p>2. Coordinate with court and other local law enforcement to implement new firearm and ammunition surrender laws</p>	<p>In-kind from police department and the City</p>

3. Update DV policies annually and as needed.	In-kind from police department
4. DV and trauma-informed training	\$5,000 for contracted speakers In-kind from police department
5. Translation of DV resource cards into multiple languages  (Cost to translate resource cards and other materials into at least five most common languages.)	\$15,000 ( <i>one-time investment with some funding needed to update resources</i> )
6. Screen for domestic violence for every call for help	In-kind from all responding agencies
7. Female officer available	In-kind from police department
8. Advocate to accompany DV call and provide crisis intervention	\$125,000 (two advocates at 0.5FTE)
<b>Total</b>	\$970,000

## Appendix

### Questions to Berkeley Police Department (BPD) from GBV subcommittee of Reimagining Public Safety Task Force

**1. When an alleged victim or suspect needs language assistance, who provides interpretation?**

BPD response: When an alleged victim or suspect needs language assistance, we first look to fellow officers for translation services. The Berkeley Police Department employs officers and other department personnel that speak many different languages - about 12 different languages are spoken. Berkeley Police Officers also use the AT&T “Language Line” for languages that are not spoken by fellow officers/Berkeley Police employees. When an exigency exists, officers also use family members and/or friends to translate, where appropriate.

**2. If an alleged victim or suspect needs language assistance, is this noted in the police report, including the language spoken and who provided interpretation?**

BPD response: Berkeley Police officers document when an alleged victim or suspect requires language assistance in their police reports. The documentation also includes what language the victim or suspect speaks, and who provided the translation. The Domestic Violence supplemental report specifically asks the officer to document whether the victim/suspect has difficulty with English, and if so, what language is preferred. The report also has a field for the officer to input who provided translation.

**3. Are resources, like domestic violence pamphlets and resource cards, translated into different languages? If so, what languages?**

BPD response: The Berkeley Police Department stocks Victims of Crime Resource pamphlets and Marsy’s Rights cards in Spanish.

**4. If an alleged victim is unhoused and does not have a phone, how does the department contact the victim if follow-up is needed?**

BPD response: When an alleged victim is unhoused and does not have a phone, officers will try to obtain alternate means of communication for the

victim (e.g. email account, social media accounts, etc.). If the alleged victim does not have any means of contact, officers will try to obtain information about where the victim will be staying so that personal contact can be made by detective(s) conducting follow-up investigation. Patrol officers are often very knowledgeable about where specific victims live or areas they frequent. Officers are diligent about documenting various ways - unique to every victim - to contact them.

**5. Can you provide a copy of any pamphlet or brochure that is provided to an alleged domestic violence victim by responding officers?**

BPD response: [Pamphlet/brochures provided to DV victim] See attached.

**6. How often does the department update its domestic violence policies?**

BPD response: The Berkeley Police Department does not currently have a set revision schedule for updating its Domestic Violence policy and related policies. The Berkeley Police Department just migrated its policies to Lexipol. Policies are updated as revisions are needed. The DV policy was last updated October 5, 2018.

**7. Are domestic violence advocacy groups consulted when the department updates its internal domestic violence policies?**

BPD response: No, a domestic violence advocacy group was not consulted when the department updated its internal domestic violence policies. Per city protocol the domestic violence policy was written in conjunction with the Police Review Commission (now the Police Accountability Board). However, we are in weekly collaboration with our domestic violence advocate at the Family Justice Center. She helps coordinate all aspects of care and resource procurement for victims.

**8. Does the department use the relationship between the alleged victim and suspect to indicate that a case involves DV allegations? For example, in some cases the alleged violation per the penal code would not reveal that the case involves DV, but knowing that the**



**parties are married or in a dating relationship would (e.g. PC 422, false imprisonment, annoying or harassing phone calls).**

BPD response: Yes, the Berkeley Police Department uses the relationship between the alleged victim and suspect when investigating reports of criminal violations. The Department treats all reports of criminal activity seriously, however, those involving intimate partner violence are of particular concern due to the elevated emotional component and frequent volatility of such incidents. Domestic abuse/violence incidents tend to repeat and intensify in nature if the cycle of violence is not interrupted.

**9. What training do responding officers and specially assigned detectives receive in the areas of domestic violence, sexual assault and human trafficking? How often is this training provided? Please provide examples of topic areas and the provider of the training, if possible.**

BPD response: If the DV subcommittee is interested in topics that are trained for sexual assault and/or human trafficking we could work on this information in the future. Domestic Violence Related training topics for Officers and Detectives:

Academy POST Training:  
Domestic Violence related laws  
Batterer and victim characteristics  
Victim Protections  
Types of court orders  
Emergency Protective Orders  
Support Services for Victims  
Reporting and Documentation

POST ICI Domestic Violence Investigations:  
Search Warrants  
Stalking  
Strangulation  
DA Presentation  
Equality, power and control, abusive relationships  
Power and Control for Lesbian, gay, bisexual and Trans Relationships  
Abuse in Later life  
People with Disabilities in Partner Relationships

Impact on Children  
DV Injuries  
Officer Involved DV  
Lethality



**RECURSOS PARA VÍCTIMAS  
DE CRIMEN**

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## RECURSOS PARA VICÍMAS DE CRIMEN

### Arresto Policial

El Departamento de Policía de Berkeley se compromete a proteger a las personas que sean víctimas de un crimen, incluyendo Violencia Doméstica. Los agentes policiales consideran la Violencia Doméstica como conducta delictuosa, cual se investigará como cualquier otro crimen. En los casos de delitos mayores o lesiones graves, el agente policial puede efectuar un arresto del sujeto en base al motivo fundado de que el sujeto cometió el delito.

### Arresto Ciudadano

Bajo ciertas circunstancias, los agentes policiales no pueden efectuar un arresto directamente, pero le deben pedir hacer el arresto ciudadano (excepto en los casos de Violencia Doméstica) al agente policial. Una persona particular puede arrestar a otra por un crimen cometido en su presencia. El agente pondrá bajo custodia al sospechoso cuando exista motivo fundado.

*ATENCIÓN: La persona sujeta a la acusación puede depositar una fianza o ser puestos en libertad con una citación. Las víctimas no deberán depender en el arresto como garantía de su propia seguridad.*

### Presentar Cargos

Usted tiene el derecho de pedirle al Fiscal que entable una denuncia. Al siguiente día hábil después de su denuncia a la policía, debe comunicarse con la División de Investigaciones al número escrito en su recibo del informe. Es muy importante que haga esto sin importar si el sospechoso haya sido arrestado.

En casos de Violencia Doméstica el Fiscal toma la decisión final para decidir si se presentan cargos o no en contra del agresor.

Usted tiene el derecho de que el Fiscal lo(a) escuche, y el derecho de pedirle al Fiscal que presente una denuncia penal.

Oficina de la Fiscalía del Condado de Alameda (510) 268-7500  
Defensor de Víctimas de Violencia Familiar (510) 268-7276  
de la Fiscalía

#### **INFORMACIÓN LEGAL**

##### **Programas de Asistencia para Víctimas**

La oficina de la Fiscalía del Condado de Alameda tiene personal que puede brindarle información y asistir a víctimas de crímenes.

Fiscalía del Condado de Alameda – Servicios para Víctimas y Testigos  
1401 Lakeside Dr., Ste. 802, Oakland, CA 94612  
(510) 272-6180

Centro Familiar de Justicia del Condado de Alameda  
470 27th St., Oakland, CA 94612 (510) 267-8800

La Oficina de la Fiscalía también tiene un Defensor de víctimas que le puede brindar información sobre el estado de casos penales. Se puede comunicar con la Oficina de la Fiscalía al (510) 268-7276.

##### **BPD – Violencia Doméstica y Agresión Sexual**

El Departamento de Policía de Berkeley tiene un equipo de Detectives y un Defensor de Víctimas que le puede brindar información sobre el proceso judicial y ofrecerle asistencia adicional.

Detective de Violencia Doméstica (510) 981-5736  
Defensor de Violencia Doméstica (24 horas) (510) 757-5123  
Detective de Agresión Sexual (510) 981-5735

##### **Información para Víctimas y Notificación Diaria (VINE por sus siglas en inglés)**

Para averiguar si un agresor está bajo custodia en el estado de California o para que se le notifique cuando un agresor es puesto en libertad, llame (877) 411-5588. Necesita un teléfono con teclado. También necesita saber el nombre de la persona que se encuentra bajo custodia.

Las víctimas no deberán de confiar en esto para garantizar su propia seguridad.

#### **Visa U**

La Ley Federal creó la Visa U para animar a víctimas de crímenes sin ciudadanía a cooperar con agencias del orden público proporcionándoles protección de deportación y un camino para obtener una Tarjeta de Residente Permanente. Puede encontrar más información en el sitio web del Departamento de Justicia de California Oficina de la Procuraduría [www.oag.ca.gov](http://www.oag.ca.gov) al igual que en el sitio de Servicios de Ciudadanía e Inmigración de los Estados Unidos (USCIS por sus siglas en inglés) [www.uscis.gov](http://www.uscis.gov). También puede pedir ayuda comunicándose con el Centro Familiar de Justicia del Condado de Alameda (510)267-8800.

#### **Visa T**

La Visa T le permite a víctimas de trata severa de personas permanecer en los EE.UU para ayudar a las autoridades con su investigación. Puede encontrar más información en el sitio web de Servicios de Ciudadanía e Inmigración de los Estados Unidos [www.uscis.gov](http://www.uscis.gov). También puede pedir ayuda comunicándose con el Centro Familiar de Justicia del Condado de Alameda (510)267-8800.

#### **INFORMACIÓN – ORDEN DE RESTRICCIÓN**

Si lo han amenazado, acosado o agredido, puede solicitar un Orden de Restricción. Si el agresor es o fue su esposo(a), pareja o con quien tiene hijos en común, puede solicitar una “Orden de Restricción por Violencia Doméstica.” Si está casado(a) con el agresor, no tiene que obtener un divorcio para obtener una Orden de Restricción. Si el agresor es un vecino, amigo, o conocido, puede pedir una “Orden por Acoso Civil.” Hay un cobro por una Orden de Restricción por Acoso Civil. Si usted es de bajos recursos, puede solicitar una exención de pago.

**Como solicitar.** Puede solicitar una Orden de Restricción en el:

1. René C. Davidson Courthouse, 1225 Fallon St., Oakland, CA
2. George E. McDonald Hall of Justice, 2233 Shoreline Dr., Alameda, CA
3. Hayward Hall of Justice at 24405 Amador St., Hayward, CA

Puede obtener los documentos e instrucciones detalladas en el Tribunal o en línea [www.courts.ca.gov](http://www.courts.ca.gov). El Defensor de víctima al (510) 757-5123 o Centro de Derecho de Violencia Familiar al (800) 947-8301 también puede asistirle a obtener una Orden de Restricción por Violencia Doméstica.

**Costo.** No hay costo para obtener una “Orden de Restricción por Violencia Doméstica.” Sí hay costo para obtener una “Orden por Acoso Civil.” Si usted es de bajos recursos, puede solicitar una exención de pago. No necesita un abogado para obtener una Orden de Restricción, pero sí es buena idea tener uno si tiene uno disponible

**¿Cuánto tiempo toma para obtener una Orden de Restricción?**

Es posible obtener una Orden de Restricción Temporal dentro de 24 horas, o puede tomar hasta una semana. Es importante comenzar temprano el proceso para obtener una Orden de Restricción a largo plazo. Si el agente policial le da una “Orden de Protección de Emergencia”, no espere hasta que se venza esta Orden antes de solicitar una Orden de Restricción a largo plazo.

**¿Qué hace una Orden de Restricción?**

1. Ordenar al acusado mantenerse a cierta distancia de usted, su familia, y/o miembros de su hogar.
2. Ordenar al acusado a mantenerse alejado de su casa, sitio de trabajo, casa de su familia, sitio de escuela/guardería de sus hijos, y si es necesario alguna otra dirección.
3. Ordenar al acusado a mudarse de su casa o departamento, aunque el nombre del acusado se encuentre en el contrato de alquiler o sea copropietario.
4. Que se le de custodia de sus hijos y exigir una orden de visitas.
5. Ordenar Manutención para sus hijos.
6. Ordenar al acusado que no acose, maltrate o se comunique con usted, su familia o miembros de su hogar.
7. Que se le dé uso de cierta propiedad.
8. El reembolso por la pérdida de ingresos y/o el gasto real causado directamente por la violencia como cobros médicos y daño a propiedad.
9. Ordenar al acusado que pague ciertas deudas.
10. Ordenar el acusado que cumpla con un programa de intervención para agresores de 52 semanas.

*ATENCIÓN: No se puede hacer cumplir una Orden de Restricción hasta que sea emplazada, que significa que se le ha notificado al acusado en persona, en el tribunal o por un agente policial que están sujetos a una restricción.*

**Guarde la Orden de Restricción consigo.**

Si usted obtuvo una Orden de Restricción la cual le prohíbe al agresor pegarle o acosarlo(a), y el agresor a sabiendas quebranta la Orden, pueden ser arrestados y en la mayoría de los casos encarcelados. A pesar de que el Departamento de Policía debe de tener su Orden de Restricción en el sistema de datos, es extremadamente importante que guarde una copia de su Orden de Restricción y Comprobante de Emplazamiento (Proof of Service) consigo en todo momento.

**¿Qué debe hacer si el acusado quebranta la Orden de Restricción?**

1. Llame a la Policía.
2. Pida que se prepare un informe formal, aunque se haya ido el acusado.
3. Si se le emplazó la Orden de Restricción al acusado y el(ella) sigue ahí cuando llegue la policía, pueden ser arrestados.
4. Comuníquese con la División de Investigaciones de BPD al próximo día hábil después de su denuncia policial para informarse sobre el procesamiento de su caso por el quebrantamiento de la Orden de Restricción.

**Demandando al agresor**

Usted puede tener el derecho a demandar al agresor en el tribunal civil aparte de presentar cargos penales. Si usted perdió ingresos, acumuló cobros médicos, tuvo daños de propiedad, u otras pérdidas debido al abuso, puede consultar con un abogado. Comuníquese con el Servicio de Recomendaciones de Abogados del Condado de Alameda (510) 302-2222.

**LESIONES**

Puede ser que encuentre más lesiones o el empeoramiento de lesiones después de que se haya ido la policía o de cuando tomaron su denuncia.

Por ejemplo, durante los días después de la agresión se pueden marcar más los moretes. Los Detectives le pueden pedir que se tome más fotos de sus lesiones.

#### **ESTRANGULACIÓN**

La estrangulación puede causar lesiones internas graves y se les sugiere a las víctimas que inmediatamente busquen atención médica. Infórmele al agente o al personal médico si el agresor lo(a) estranguló o trato de sofocarlo.

#### **INFORMACIÓN DE AGRESIÓN SEXUAL**

##### **Como Pedir Ayuda.**

La agresión sexual es un crimen grave y emocional. Puede implicar a alguien que usted conoce o a un desconocido. El denunciar una violación o agresión sexual a la policía puede ser una decisión difícil. Para recibir ayuda y orientación, llame al Centro de Crisis de Violaciones.

BAWAR (Bay Area Women Against Rape) –Mujeres contra la Violación  
470 27th St., Oakland, CA 94612 24 horas al día (510) 845-7273

Centro de Justicia Familiar del Condado de Alameda  
470 27th St., Oakland (510) 430-1298

RAINN (Rape, Abuse & Incest National Network)  
(Red Nacional de Violación, Abuso e Incesto) (800) 656-4673

#### **VÍCTIMAS DE AGRESIÓN SEXUAL: DERECHOS**

Esta información se le debe proporcionar por escrito a las víctimas de agresión sexual antes de la investigación.

Como víctima de agresión sexual tiene los siguientes derechos específicos a la agresión sexual:

No se le requiere participar en el sistema judicial ni de reportarlo a la policía.



Tiene el derecho de tener un terapeuta/defensor de víctimas y por lo menos a una persona de apoyo que usted escoja que esté presente durante la examinación médica forense, examinación física, o entrevista de investigación a raíz de la agresión sexual. Los Terapeutas/Defensores de víctimas de agresión sexual están inmediatamente disponibles 24 horas al día.

No se le obliga participar en una examinación médica física o probatoria.

Las pruebas forenses de agresión sexual serán examinadas y analizadas en el laboratorio a menos que la víctima pida que no se examinen las pruebas.

Las víctimas pueden recibir información sobre los resultados de análisis de todas las pruebas forenses de agresión sexual del hospital que está llevando a cabo el examen o del Departamento de Policía de Berkeley.

Tiene el derecho de pedir que el agente policial sea hombre o mujer cuando lo entrevisten.

Las pruebas de agresión sexual se deterioran con el tiempo. Con el paso del tiempo podría ser imposible recuperar pruebas biológicas. Las pruebas biológicas se deben de recopilar y preservarse lo antes posible.

Las pruebas forenses de agresión sexual se conservan por 20 años por lo menos. Si la víctima es menor de 18, se conservan hasta que la víctima cumpla 40 años.

Tiene disponible Ordenes de Restricción y Ordenes de Protección y también en este folleto se incluye información de cómo recibir ayuda y obtenerlas.

Como víctima de un crimen, también tiene los derechos tal y como se describen al final de este folleto bajo **DECLARACIÓN DE DERECHOS DE LA VÍCTIMA SEGÚN LA LEY DE MARSY**.

**Si tiene la intención de denunciar una violación o agresión sexual a la policía:**

1. Ayuda preservar las pruebas. No se bañe, no use la ducha vaginal, no se cambie ni lave su ropa. Tampoco cambie nada en el lugar donde sucedió la agresión.
2. Comuníquese con la policía lo antes posible para que lo puedan llevar al hospital y preparar un informe.
3. Aunque la policía preparará un informe detallado, usted les puede pedir que su nombre no se incluya en la parte pública del informe.
4. Tiene el derecho de tener un Defensor y una persona que usted elija de apoyo durante su examen en el hospital y durante la interrogación policial.

#### RECURSOS EN LA COMUNIDAD PARA VÍCTIMAS

##### Servicios de Emergencia.

Los Terapeutas de Violencia Doméstica están disponibles 24 horas al día si necesita terapia profesional por situación de crisis, reubicarse de emergencia a un lugar seguro, buscar un plan de seguridad, o para obtener información sobre orden de restricción. Se puede comunicar con el equipo de respuesta móvil FVLC (Centro de Derecho de Violencia Familiar por sus siglas en inglés) al (800) 947-8301.

##### Asistencia Legal

Family Violence Law Center (FLVC)	(800) 947-8301 (510) 208-0255
Bay Area Legal Aid	(510) 250-5270
East Bay Community Law Center	(510) 548-4040
Alameda County Bar Association	(510) 302-2222
Legal Assistance for Seniors	(510) 832-3040
Asian Pacific Islander Legal Outreach	(510) 251-2846

### Refugios y Líneas Directas

A Safe Place	(510) 536-7233 (510) 836-2456
Building Futures w/Women & Children	(866) A-WAY-OUT (866) 292-9688
Safe Alternative to Violent Environments	(510) 794-6055
STAND	(888) 215-5555
Tri-Valley Haven	(800) 884-8119
Marin Abused Women's Shelter	(415) 924-6616
Asian Women's Shelter	(877) 751-0880
EDEN (shelter referrals)	(510) 537-2552
National Domestic Violence Hotline	(800) 799-SAFE (800) 799-7233
Narika Hotline (South Asian Languages)	(800) 215-7308
Shimtuh Hotline (Korean Center East Bay)	(510) 547-2662
Deaf Hope	<a href="mailto:hotline@deaf-hope.org">hotline@deaf-hope.org</a>
Community United Against Violence (LGBTQ)	(415) 777-5500
Bay Area Crisis Nursery	(925) 685-8052

### Consejería para los Sobrevivientes

Ser víctima de un crimen puede ser extremadamente difícil y traumático. Es muy importante que obtenga el apoyo necesario para cuidarse. Las siguientes agencias proporcionan asesoría y asistencia.

Family Violence Law Center	(800) 947-8301
Clearwater Counseling	(510) 596-8137
A Safe Place	(510) 536-7233
Tri-Valley Haven	(800) 884-8119
SAVE	(510) 794-6055
Building Futures w/Women & Children	(866) 292-9688
La Clínica de la Raza (Español)	(510) 535-4170
Pacific Center for Human Growth (LGBTQ)	(510) 548-8283
Community United Against Violence (LBBTQ)	(415) 777-5500
Alameda Family Services	(510) 522-8363
Deaf Hope	<a href="mailto:hotline@deaf-hope.org">hotline@deaf-hope.org</a>
National Domestic Violence Hotline	(800) 799-7233

**Asesoría para Niños**

Family Violence Law Center	(800) 947-8301
Clearwater Counseling	(510) 596-8137
DOVES at Oakland Children's Hospital	(510) 428-3135
The Link to Children (TLC)	(510) 428-2028

**Asesoría para Agresores**

Alameda Community Recovery SVS	(510) 522-8363
John Hamel & Associates (Berkeley)	(925) 686-2921
Allen Temple Baptist Church	(510) 544-3914
Peace Creations	(510) 834-7088
Psychological Services Center	(510) 628-9065
West Oakland Health Council	(510) 465-1800

**JUNTA DE COMPENSACION PARA VICTIMAS DE CALIFORNIA**

El Estado de California le puede pagar a las víctimas de crimen o sus dependientes los gastos relacionados a actos criminales. Este Programa de Compensación para Víctimas de California le podría pagar los siguientes gastos:

- Tratamiento medico y dental
- Servicios de salud mental
- Reubicación por su seguridad
- Seguridad en el hogar
- Pérdida de ingresos

*ATENCIÓN: El Programa de Compensación para Víctimas de California no puede pagarle gastos por daños a la propiedad.*

Para obtener más información sobre este Programa o para obtener una solicitud por favor llame al:

**Programa de Compensación para Víctimas de California**

Estado de California	(800) 777-9229
Condado de Alameda	(510) 272-6180

**Programa para asistir a Víctimas/Testigos Fiscalía del Condado de Alameda**

1401 Lakeside Drive, Suite 802  
Oakland, CA 94612 (510) 272-6180

**Centro Familiar de Justicia de Condado de Alameda**  
470 27th Street Oakland, CA 94612 (510) 267-8800

**DECLARACIÓN DE DERECHOS DE LA VÍCTIMA SEGÚN LA LEY DE MARSY.**

La Constitución de California, Artículo 1, Sección 28, confiere ciertos derechos a víctimas de crimen, según lo define la ley. Los derechos son:

**1. Justicia y Respeto**

A que se le trate con justicia y respeto a su privacidad y dignidad, no ser intimidado, acoso y abuso, durante todo el proceso penal o el proceso jurídico de menores.

**2. Protección del acusado**

A que se le proteja razonablemente del acusado y las personas que actúen en nombre del acusado.

**3. Consideración de la Seguridad de la Víctima para Fijar Fianza y Condiciones de Libertad**

A que se considere la seguridad de la víctima y de los familiares de la víctima al momento de fijarse el monto de la fianza y las condiciones de la liberación del acusado.

**4. Evitar la Divulgación de Información Confidencial**

A evitar la divulgación de información o registros confidenciales al acusado, al abogado del acusado o cualquier persona que actué a nombre del acusado, que se pudieran utilizar para ubicar u hostigar a la víctima o la familia de la víctima, o que divulgaran comunicaciones confidenciales llevadas a cabo durante el tratamiento médico o de consejería, o que de otra forma se consideren privilegiados o confidenciales ante la ley.

**5. Rechazar una entrevista por parte de la Defensa**

A reusarse a una entrevista, declaración o petición de revelación de pruebas de parte del acusado, del abogado del acusado o cualquier persona que

actúe en nombre del acusado, y a establecer condiciones razonables para llevar a cabo dicha entrevista en caso de que la víctima acepte.

**6. Consultar con la Agencia Acusadora y Notificación de la Resolución antes del Juicio**

A recibir aviso razonable y a consultar razonablemente con la agencia acusadora, por solicitud, en cuanto al arresto del acusado si el procurador lo conoce, los cargos presentados, la decisión de extraditar al acusado y, de ser solicitadas, a que se le notifique e informe antes de cualquier resolución previa a un juicio del caso.

**7. Notificación y Presencia en Procesos Judiciales**

A recibir aviso razonable de todos los procesos judiciales públicos, incluyendo los procesos judiciales de delincuencia, de ser solicitado, en los que el acusado y el procurador puedan estar presentes, y de todos los procesos judiciales de libertad condicional u otras liberaciones posteriores a la condena, y a estar presente en esos procesos judiciales.

**8. Presencia en Procesos Judiciales y Expresión de Opinión**

A que se le escuche, de ser solicitado, en cualquier procedimiento, incluidos procedimientos de delincuencia, que incluya una decisión de liberación tras el arresto, alegato, sentencia, decisión de liberación tras la condena, o cualquier procedimiento en el que esté en juego un derecho de la víctima.

**9. Juicio con celeridad y Conclusión Inmediata del Caso**

A un juicio sin demora y a una conclusión inmediata y final del caso y cualquier proceso relacionado tras la imposición de la condena.

**10. Proveer Información al Departamento de Libertad a Prueba**

A brindarle información a un oficial del departamento de libertad a prueba que realice una investigación previa a la imposición de pena sobre el impacto del crimen en la víctima y la familia de la víctima, y cualquier recomendación de la pena antes de su imposición al acusado.

**11. Recibir el Informe Previo a la condena**

A recibir, de ser solicitado, el informe previo a la condena disponible para el acusado, excepto aquellas partes que sean legalmente confidenciales.

**12. Información de la Condena, Pena, Encarcelación, Libertad, y Escape**

A recibir información, por solicitud, de la condena, la pena, el lugar y la hora de encarcelamiento u otra resolución del acusado, la fecha programada de liberación del acusado y la liberación o el escape del acusado de la custodia.

**13. Indemnización**

- A. Es la intención inequívoca del pueblo del estado de California que todas las personas que sufran pérdidas como resultado de actividad criminal tengan derecho a buscar y asegurar la indemnización de las personas condenadas por los crímenes que causaron la pérdida que han sufrido.
- B. La indemnización debe salir del malhechor condenado en todos los casos, sin importar la pena ni resolución impuesta, en los que una víctima de crimen sufra una pérdida.
- C. Todos los pagos monetarios, fondos y propiedad recaudada de cualquier persona que deba resarcir se aplicarán primero al pago de los montos ordenados como indemnización a la víctima.

**14. Devolución Rápida de Propiedad**

A la devolución rápida de la propiedad cuando ya no se necesite como pruebas.

**15. Aviso de Libertad Condicional y sus Procedimientos**

A estar informada sobre todos los procedimientos de libertad condicional, a participar en el proceso de libertad condicional, a brindarle información a la autoridad de libertad condicional para que se le tenga en cuenta antes de la libertad condicional del acusado, y a que se le notifique, si así lo solicita, sobre la libertad condicional u otra liberación del agresor.

**16. La Seguridad de la Víctima y de la Comunidad son Factores para la Libertad Condicional**

A que se tenga en cuenta la seguridad de la víctima, la familia de la víctima y el público general antes de que se tome cualquier decisión de libertad condicional u otra liberación tras la imposición de la condena.

**Información sobre estos 16 Derechos**

A que se le informe sobre los Derechos enumerados en los párrafos (1) al (16).

Para más información sobre la Ley de Marsy, visite el sitio web del Procurador General de Justicia al: [www.ag.ca.gov/victimservices](http://www.ag.ca.gov/victimservices).

Para obtener información sobre el Centro para Asistir a Víctimas/Testigos más cercano a usted, llame:

Attorney General's Victim Services Unit (877) 433-9069  
(Servicios para Víctimas del Procurador General de Justicia)



**Información Adicional para los Afiliados con la Universidad de California**

Si usted está afiliado con UC Berkeley se le está proporcionando con este guía de recursos indispensable por que recientemente tuvo un impacto por actividad criminal, o tal vez necesite recursos que la Universidad le puede brindar. La Universidad de California en Berkeley tiene muchos recursos disponibles para ayudarle durante un momento difícil. Nos comprometemos a dar atención a sus necesidades en colaboración con nuestros socios en la comunidad.

UCPD Berkeley  
Para más Información visite:  
<http://safetycounts.berkeley.edu>



**Reportar**

**Center for Student Conduct**

(510) 643-9069, <http://studentconduct.berkeley.edu>

**Office for the Prevention of Harassment and Discrimination**

(510) 643-7985, <http://ophd.berkeley.edu>

**University of California Police Department, Berkeley**

(510) 642-6760, <http://police.berkeley.edu>

**Apoyo**

**Gender Equity Resource Center**

Sexual Harassment/Sexual Assault Resource Specialist

(510) 643-5727, <http://geneq.berkeley.edu>

**University Health Services, Social Services**

(510) 642-6074, [socsrvs@uhs.berkeley.edu](mailto:socsrvs@uhs.berkeley.edu)

<http://uhs.berkeley.edu/students/counseling/socialservices.shtml>

**University Health Services, CARE Services**

(510) 643-7754, [careserv@uhs.berkeley.edu](mailto:careserv@uhs.berkeley.edu)  
<http://uhs.berkeley.edu/facstaff/care/>

**Ombudsperson for Students and Postdoctoral Appointees**

(510) 642-5754 for referral, <http://sa.berkeley.edu/ombuds>

**Ombuds Office for Faculty**

(510) 642-4226

**The Staff Ombuds Office**

(510) 642-7823

**Division of Student Affairs, Student Legal Services**

(510) 642-3916, <http://sa.berkeley.edu/legal>

**Student Advocate**

(510) 642-6912, <http://advocate.berkeley.edu>

**MEDICO**

**University Health Services, Urgent Care Clinic**

2222 Bancroft Way (The Tang Center)

(510) 643-7197 (advice after hours), [www.uhs.berkeley.edu](http://www.uhs.berkeley.edu)

Este material está disponible en formatos alternativos, de ser solicitados. Formatos alternativos incluye, formato audio, braille, de letra grande, texto electrónico, etc. Por favor comuníquese con los Especialistas de Servicios para los Discapacitados y permita que pasen de 7 a 10 días para producir el material en un formato alternativo.

Especialistas de Servicios para los Discapacitados

Correo Electronico: [ADA@cityofberkeley.info](mailto:ADA@cityofberkeley.info)

Teléfono: (510) 981-6418

TTY: (510) 981-6347

Revised February 2019 G:\p\_admin\DD DV\2019 Resources for Victims - Spanish

**NOTICE OF REPORT**  
Berkeley Police Department  
Tsukamoto Public Safety Building  
2100 Martin Luther King Jr. Way  
Berkeley, CA 94704  
(510)981-5900 VM#(510)981-5990  
[www.CityofBerkeley.info/police](http://www.CityofBerkeley.info/police)

Report number (Numero de Informe):

\_\_\_\_\_

Date(Fecha):

\_\_\_\_\_

Type of Report/Offense (Clase de Informe/Crimen):

\_\_\_\_\_

Officer's name(Nombre del Agente Policial):

\_\_\_\_\_

Badge #(Número de Placa):

\_\_\_\_\_

Officer's duty hours (Horario de turno del Agente):

\_\_\_\_\_

Days off (Días de descanso):

\_\_\_\_\_

Si tiene alguna pregunta sobre el estado de investigación de su caso, por favor comuníquese con el Departamento Policial indicado abajo. Debe de hacer sus preguntas de lunes a viernes, de 8:00am a 4:30pm.

Crimes Against Property (Crimen de Propiedad)	(510) 981-5737
Domestic Violence (Violencia Doméstica)	(510) 981-5736
Sex Crimes (Crimen Sexual)	(510) 981-5716
Youth Services (Servicios para Jóvenes)	(510) 981-5715
Homicide/Assault (Homicidio/Agresión)	(510) 981-5741
Robbery (Robo)	(510) 981-5742
Traffic (Tránsito)	(510) 981-5980



## **RESOURCES FOR VICTIMS OF CRIME**

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## RESOURCES FOR VICTIMS OF CRIME

### Officer Arrest

The Berkeley Police Department is committed to protecting persons who are victims of crime, including Domestic Violence. Officers shall consider Domestic Violence as criminal conduct, which shall be investigated as any other crime. In cases involving felonies or serious injuries, the officer may make an arrest on probable cause that the suspect committed the offense.

### Citizen's Arrest

In certain circumstances, officers cannot make an arrest directly, but must ask you to make a citizen's arrest (with the exception of Domestic Violence cases). A private person may arrest another for a public offense committed in their presence. The officer will take the suspect into custody in circumstances where probable cause exists.

*NOTE: Suspects may post bail or may be released on a citation. Victims should not rely on arrests as a guarantee of their personal safety.*

### Pressing Charges

You have the right to ask the District Attorney to file a criminal complaint. On the next work day after you have made a police report, you should contact the Investigations Division at the phone number listed on your report receipt. It is very important that you do this whether or not the suspect has been arrested.

In Domestic Violence cases, the ultimate decision as to whether a suspect is charged with a crime or not is made by the District Attorney.

You have the right to have your voice heard by the District Attorney, and the right to ask the District Attorney to file a criminal complaint.

Alameda County D.A.'s Office	(510) 268-7500
D.A.'s Domestic Violence Advocate	(510) 268-7276

## LEGAL INFORMATION

### Victim Assistance Programs

The Alameda County D.A.'s Office has staff members who are able to provide information and assist victims of crime.

Alameda County DA - Victim Witness Services  
1401 Lakeside Dr., Ste. 802, Oakland, CA 94612  
(510) 272-6180

Alameda County Family Justice Center  
470 27th St., Oakland, CA 94612  
(510) 267-8800

The District Attorney's Office also has an Advocate that can provide information about the status of criminal cases. The District Attorney's Advocate can be reached at (510) 268-7276.

### BPD - Domestic Violence and Sex Crimes

The Berkeley Police Department has a team of Detectives and a Victim Advocate that can provide information on the criminal justice process and offer additional assistance.

Domestic Violence Detective	(510) 981-5736
Domestic Violence Advocate (24 hour)	(510) 757-5123
Sexual Assault Detective	(510) 981-5716

### Victim Information & Notification Everyday (VINE)

To find out if and where an offender is in custody in the State of California or to be notified when an offender is being released from custody, call (877) 411-5588. You need a touchtone telephone. You will also need to know the name of the person in-custody. Victims should not rely on this as a guarantee of their personal safety.

### U Visas

U Visas were created by Federal Law to encourage non-citizen crime victim cooperation with law enforcement by providing victims protection from deportation and a pathway to a green card. More

information can be found at the California DOJ's Office of the Attorney General website at [www.oag.ca.gov](http://www.oag.ca.gov) as well as the US Citizenship and Immigration Services website at [www.uscis.gov](http://www.uscis.gov). You can also contact the Alameda County Family Justice Center for assistance (510)267-8800.

#### **T Visas**

T Visas allow victims of severe forms of human trafficking to remain in the US to assist authorities in their investigation. More information can be found at the US Citizenship and Immigration Services website at [www.uscis.gov](http://www.uscis.gov). You can also contact the Alameda County Family Justice Center for assistance (510)267-8800.

#### **RESTRAINING ORDER INFORMATION**

If you have been threatened, harassed, abused, or assaulted, you can apply for a Restraining Order. If the offender is your current or former spouse, partner, or someone with whom you have a child, you can apply for a "Domestic Violence Restraining Order." If you are married to the offender, you do not have to get a divorce to get a Restraining Order. If the offender is a neighbor, friend, or acquaintance, you may request a "Civil Harassment Order." There is a fee for Civil Harassment Restraining Orders. If you are low-income, you can apply for a fee waiver.

**How to apply.** You can apply for Restraining Orders at the:

1. René C. Davidson Courthouse, 1225 Fallon St., Oakland, CA 94612
2. George E. McDonald Hall of Justice, 2233 Shoreline Dr., Alameda, CA
3. Hayward Hall of Justice at 24405 Amador St., Hayward, CA.

You can obtain the paperwork and detailed instructions at the Courthouse or online at [www.courts.ca.gov](http://www.courts.ca.gov). The Victim Advocate at (510) 830-3663 or the Family Violence Law Center at (800) 947-8301 may also be able to assist you in obtaining a Domestic Violence Restraining Order.

**Cost.** There is no fee for obtaining a "Domestic Violence Restraining Order." There is a fee for obtaining a "Civil Harassment Order." If you are low-income, you can apply for a fee waiver. You do not need an attorney to obtain a Restraining Order, but it is a good idea to have one if one is available to you.

#### **How long does it take to get a Restraining Order?**

It is possible to get a Temporary Restraining Order within 24-hours, or it may take as long as a week. It is important to start the process of obtaining a long-term Restraining Order early. If the police gave you an "Emergency Protective Order," do not wait until this Order expires before applying for a more long-term Restraining Order.

#### **What the Restraining Order can do?**

1. Order the defendant to stay a specified distance away from you, your family, and/or members of your household.
2. Order the defendant to stay away from your home, your workplace, your family's home, your children's school/childcare location, and other addresses if necessary.
3. Order the defendant to move out of your home or apartment even if the defendant's name is on the lease or he/she is a co-owner.
4. Give you custody of your children and mandate a visitation order.
5. Order child support.
6. Order the defendant not to contact, harass, or abuse you, your family, and members of your household.
7. Give you the use of certain property.
8. Reimburse you for lost earnings and/or actual expenses caused directly by the violence such as medical bills and property damage.
9. Order the defendant to pay certain debts.
10. Order the defendant to complete a 52-week Batterer's Intervention Counseling Program.

*NOTE: A Restraining Order is not enforceable until it has been served, meaning the defendant has been notified in person in court or by a police officer that they are restrained.*

#### **Keep your Restraining Order with you.**

If you have obtained a Restraining Order which stops the offender from beating or harassing you, and the offender knowingly violates the Order, they can be arrested and, in most cases, taken to jail. Even though the Police Department should have your Restraining Order in their computer system, it is extremely important that you keep a copy of your Restraining Order and Proof of Service with you at all times.



**What should you do if the defendant violates your Restraining Order?**

1. Call the Police.
2. Ask that a formal report be taken even if the defendant has left.
3. If the defendant has been served with the Restraining Order and is still there when the police arrive, they can be arrested by the police.
4. Contact the BPD Investigations Division the next work day after you have made a police report to follow-up regarding prosecution of your Restraining Order violation case.

**Suing the Offender**

You may have a right to sue the offender in civil court in addition to pressing criminal charges. If you have lost wages, accumulated medical bills, property damage, or other losses because of the abuse, you may contact a lawyer. For assistance in locating an attorney, contact the Alameda County Lawyer Referral Service at (510) 302-2222.

**INJURIES**

You may notice additional or worsening injuries after the police have taken your report and left. For example, bruising may be more pronounced in the days following an assault. Detectives may ask for additional photos to be taken of your injuries.

**STRANGULATION**

Strangulation may cause serious internal injuries and victims are highly encouraged to seek medical attention right away. Tell officers or medical personnel if the suspect strangled or attempted to suffocate you.

**SEXUAL ASSAULT INFORMATION**

**How to Get Help.**

Sexual assault is a serious and emotional crime. It can involve someone you know, or a stranger. Reporting a rape or sexual assault to the police can be a difficult decision. For assistance, call a Rape Crisis Center for help and guidance.

BAWAR (Bay Area Women Against Rape)      www.bawar.org  
470 27th St., Oakland, CA 94612      24 hour (510) 845-7273

Alameda County Family Justice Center  
470 27th St., Oakland      (510) 430-1298

RAINN (Rape, Abuse & Incest National Network)      (800) 656-4673

#### **SEXUAL ASSAULT VICTIMS: RIGHTS**

This information is to be provided to victims of sexual assault in writing before investigating further.

As a sexual assault victim you have the following rights specific to sexual assault:

You are not required to participate in the criminal justice system or to make a police report.

You have a right to have a sexual assault counselor/victim advocate and at least one support person of your choosing present at any initial medical evidentiary examination, physical examination, or investigative interview arising out of a sexual assault. Sexual assault counselors/advocates are available immediately 24 hours a day.

You are not required to participate in a medical evidentiary or physical examination.

You will not incur any out of pocket expenses for any forensic examinations.

Sexual assault forensic evidence will be sent to the lab to be tested and analyzed unless the victim requests the evidence not be tested.

Victims may request information about the results of analysis of any sexual assault forensic evidence from the hospital conducting the exam or the Berkeley Police Department.

You have the right to request to be interviewed by a male or female officer.

Sexual assault evidence deteriorates over time. Biological evidence may become impossible to recover as time passes. Biological evidence should be collected and preserved as soon as possible.

Sexual assault forensic evidence will be retained for at least 20 years, or if the victim is under 18, until the victim's 40<sup>th</sup> birthday.

Restraining Orders and Protective Orders are available to you and information on how to obtain them and get assistance is included in this pamphlet.

As a victim of crime, you also have the rights outlined at the end of the pamphlet in the **VICTIM'S BILL OF RIGHTS MARSY'S LAW** section.

**If you intend to report a rape or sexual assault to the police:**

1. Help preserve the evidence. Do not bathe, douche, change or wash your clothes, or alter anything at the location of the assault.
2. Contact the police as soon as possible so they can take you to a hospital and make a report.
3. Although the police will take a detailed report, you can ask that your name not become a matter of public record.
4. You have the right to have an Advocate and a support person of your choice with you during the hospital exam and police questioning.

**COMMUNITY RESOURCES FOR VICTIMS**

**Emergency Services.**

Domestic Violence Counselors are available 24-hours a day if you are in need of crisis counseling, emergency relocation to a safe place, seeking safety planning, or restraining order information. You can contact the Family Violence Law Center's Mobile Response Team at (800) 947-8301.

### Legal Assistance

Family Violence Law Center	(800) 947-8301 (510) 208-0255
Bay Area Legal Aid	(510) 250-5270
East Bay Community Law Center	(510) 548-4040
Alameda County Bar Association	(510) 302-2222
Legal Assistance for Seniors	(510) 832-3040
Asian Pacific Islander Legal Outreach	(510) 251-2846

### Shelters and Hotlines

A Safe Place	(510) 536-7233 (510) 836-2456
Building Futures w/Women & Children	(866) A-WAY-OUT (866) 292-9688
Safe Alternative to Violent Environments	(510) 794-6055
STAND	(888) 215-5555
Tri-Valley Haven	(800) 884-8119
Marin Abused Women's Shelter	(415) 924-6616
Asian Women's Shelter	(877) 751-0880
EDEN (shelter referrals)	(510) 537-2552
National Domestic Violence Hotline	(800) 799-SAFE (800) 799-7233
Narika Hotline (South Asian Languages)	(800) 215-7308
Shimtuh Hotline (Korean Center East Bay)	(510) 547-2662
Deaf Hope	<a href="mailto:hotline@deaf-hope.org">hotline@deaf-hope.org</a>
Community United Against Violence (LGBTQ)	(415) 777-5500
Bay Area Crisis Nursery	(925) 685-8052

### Counseling for Survivors

Being the victim of a crime can be extremely traumatic and difficult. It is very important that you get the support that you need to take care of yourself. The following agencies provide counseling and assistance.

Family Violence Law Center	(800) 947-8301
Clearwater Counseling	(510) 596-8137
A Safe Place	(510) 536-7233

Tri-Valley Haven	(800) 884-8119
SAVE	(510) 794-6055
Building Futures w/Women & Children	(866) 292-9688
La Clinica de la Raza (Spanish)	(510) 535-4170
Pacific Center for Human Growth (LGBTQ)	(510) 548-8283
Community United Against Violence (LBBTQ)	(415) 777-5500
Alameda Family Services	(510) 522-8363
Deaf Hope	<a href="mailto:hotline@deaf-hope.org">hotline@deaf-hope.org</a>
National Domestic Violence Hotline	(800) 799-7233

**Counseling for Children**

Family Violence Law Center	(800) 947-8301
Clearwater Counseling	(510) 596-8137
DOVES at Oakland Children’s Hospital	(510) 428-3135
The Link to Children (TLC)	(510) 428-2028

**Counseling for Offenders**

Alameda Community Recovery SVS	(510) 522-8363
John Hamel & Associates (Berkeley)	(925) 686-2921
Allen Temple Baptist Church	(510) 544-3914
Peace Creations	(510) 834-7088
Psychological Services Center	(510) 628-9065
West Oakland Health Council	(510) 465-1800

**STATE OF CALIFORNIA CRIME VICTIM COMPENSATION PROGRAM**

Victims of crime or their dependents may be paid by the State of California for expenses relating to the criminal act. California’s Victim Compensation Program may pay for expenses such as:

- Medical and dental treatment
- Mental health counseling
- Relocation for your safety
- Home security
- Lost income

*NOTE: California Victim's Compensation Program cannot pay for property damages.*

For further information about this Program or to get an application, please contact:

**California Victim Compensation Program**

Statewide (800) 777-9229  
Alameda County (510) 272-6180

**Alameda Co. District Attorney's Victim/Witness Assistance Program**

1401 Lakeside Drive, Suite 802  
Oakland, CA 94612 (510) 272-6180

**Alameda County Family Justice Center**

470 27th Street Oakland, CA 94612 (510) 267-8800

**VICTIM'S BILL OF RIGHTS MARSY'S LAW**

The California Constitution, Article 1, Section 28, confers certain rights to victims of crime as they are defined in the law. Those rights include:

**1. Fairness and Respect**

To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse throughout the criminal or juvenile justice process.

**2. Protection from the Defendant**

To be reasonably protected from the defendant and persons acting on behalf of the defendant.

**3. Victim Safety Considerations in Setting Bail & Release Conditions**

To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.

**4. The Prevention of the Disclosure of Confidential Information**

To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the

victim or the victim's family, or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.

**5. Refusal to be interviewed by the Defense**

To refuse an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.

**6. Conference with the Prosecution and Notice of Pretrial Disposition**

To reasonable notice of and to reasonably confer with the prosecuting agency, upon request, regarding the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant and, upon request, to be notified of and informed before any pretrial disposition of the case.

**7. Notice of and Presence at Public Proceedings**

To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.

**8. Appearance at Court Proceedings and Expression of Views**

To be heard, upon request, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.

**9. Speedy Trial and Prompt Conclusion of the Case**

To a speedy trial and a prompt and final conclusion of the case and any related post-judgment proceedings.

**10. Provision of Information to the Probation Department**

To provide information to a Probation Department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.

**11. Receipt of Pre-Sentence Report**

To receive, upon request, the pre-sentence report when available to the defendant, except for those portions made confidential by law.

**12. Information on Conviction, Sentence, Incarceration, Release, and Escape**

To be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody.

**13. Restitution**

- A. It is the unequivocal intention of the People of the State of California that all persons, who suffer losses as a result of criminal activity, shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.
- B. Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.
- C. All monetary payments, monies, and property collected from any person, who has been ordered to make restitution, shall be first applied to pay the amounts ordered as restitution to the victim.

**14. The Prompt Return of Property**

To the prompt return of property when no longer needed as evidence.

**15. Notice of Parole Procedures and Release on Parole**

To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, upon request, of the parole or other release of the offender.

**16. Safety of Victim and Public are Factors in Parole Release**

To have the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made.



**Information about these 16 Rights**

To be informed of the Rights enumerated in paragraphs (1) through (16).

For more information on Marsy's Law, visit the Attorney General's website at: [www.ag.ca.gov/victimservices](http://www.ag.ca.gov/victimservices).

To obtain information on the Victim Witness Assistance Center nearest to you, contact:

Attorney General's Victim Services Unit      (877) 433-9069

**Additional Information for University of California Affiliates**

If you are affiliated with UC Berkeley you are being provided with this valuable resource guide because you have been recently impacted by criminal activity, or may need resources the University can provide. The University of California, Berkeley has many resources available to assist you during what may be a difficult time. Please know we are committed to addressing your needs in conjunction with our community partners.

UCPD Berkeley  
For more information visit:  
<http://safetycounts.berkeley.edu>  
<http://survivorsupport.berkeley.edu/>  
CARE Confidential Advocates:



(510) 642-1988

**REPORT**

**Center for Student Conduct**

(510) 643-9069, <http://studentconduct.berkeley.edu>

**Office for the Prevention of Harassment and Discrimination**

(510) 643-7985, <http://ophd.berkeley.edu>

**University of California Police Department, Berkeley**

(510) 642-6760, <http://police.berkeley.edu>

**SUPPORT**

**Gender Equity Resource Center**

Sexual Harassment/Sexual Assault Resource Specialist

(510) 643-5727, <http://geneq.berkeley.edu>

**University Health Services, Social Services**

(510) 642-6074, [socsrvs@uhs.berkeley.edu](mailto:socsrvs@uhs.berkeley.edu)

<http://uhs.berkeley.edu/students/counseling/socialservices.shtml>

**University Health Services, CARE Services**

(510) 643-7754, [careserv@uhs.berkeley.edu](mailto:careserv@uhs.berkeley.edu)  
<http://uhs.berkeley.edu/facstaff/care/>

**Ombudsperson for Students and Postdoctoral Appointees**

(510) 642-5754 for referral, <http://sa.berkeley.edu/ombuds>

**Ombuds Office for Faculty**

(510) 642-4226

**The Staff Ombuds Office**

(510) 642-7823

**Division of Student Affairs, Student Legal Services**

(510) 642-3916, <http://sa.berkeley.edu/legal>

**Student Advocate**

(510) 642-6912, <http://advocate.berkeley.edu>

**MEDICAL**

**University Health Services, Urgent Care Clinic**

2222 Bancroft Way (The Tang Center)  
(510) 643-7197 (advice after hours), [www.uhs.berkeley.edu](http://www.uhs.berkeley.edu)

This material is available in alternative formats upon request. Alternative formats include audio-format, braille, large print, electronic text, etc. Please contact the Disability Services Specialist and allow 7-10 days for productions of the material in an alternative format.

Disability Services Specialist

Email: [ADA@cityofberkeley.info](mailto:ADA@cityofberkeley.info)

Phone: (510) 981-6418

TTY: (510) 981-6347

Revised February 2019 G:\p\_admin\DD DV\2019 Resources for Victims Pamphlet

**NOTICE OF REPORT**  
Berkeley Police Department  
Tsukamoto Public Safety Building  
2100 Martin Luther King Jr. Way  
Berkeley, CA 94704  
(510)981-5900 VM#(510)981-5990  
[www.CityofBerkeley.info/police](http://www.CityofBerkeley.info/police)

Report number:

Date:

Type of Report/Offense:

Officer's name:

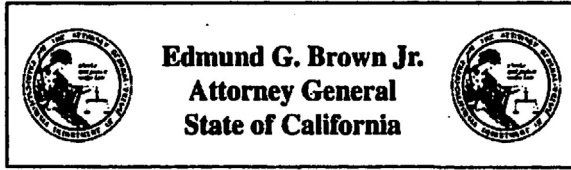
Badge #:

Officer's duty hours:

Days off:

If you have questions regarding the status of the investigation of your case, please contact the Police detail indicated below. Inquiries should be made Monday – Friday, 8:00am-4:30pm.

Crimes Against Property	(510) 981-5737
Domestic Violence	(510) 981-5736
Sex Crimes	(510) 981-5716
Youth Services	(510) 981-5715
Homicide/Assault	(510) 981-5741
Robbery	(510) 981-5742
Traffic	(510) 981-5980



### **Victims' Bill of Rights Marsy's Law**

The California Constitution, Article 1, Section 28, confers certain rights to victims of crime as they are defined in the law. Those rights include:

- 1. Fairness and Respect**  
To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.
- 2. Protection from the Defendant**  
To be reasonably protected from the defendant and persons acting on behalf of the defendant.
- 3. Victim Safety Considerations in Setting Bail and Release Conditions**  
To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.
- 4. The Prevention of the Disclosure of Confidential Information**  
To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.
- 5. Refusal to be Interviewed by the Defense**  
To refuse an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.
- 6. Conference with the Prosecution and Notice of Pretrial Disposition**  
To reasonable notice of and to reasonably confer with the prosecuting agency, upon request, regarding, the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and, upon request, to be notified of and informed before any pretrial disposition of the case.
- 7. Notice of and Presence at Public Proceedings**  
To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.
- 8. Appearance at Court Proceedings and Expression of Views**  
To be heard, upon request, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.

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To a speedy trial and a prompt and final conclusion of the case and any related post-judgment proceedings.
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To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.
- 11. Receipt of Pre-Sentence Report**  
To receive, upon request, the pre-sentence report when available to the defendant, except for those portions made confidential by law.
- 12. Information About Conviction, Sentence, Incarceration, Release, and Escape**  
To be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody.
- 13. Restitution**
- A. It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.
  - B. Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.
  - C. All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.
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To have the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made.
- 17. Information About These 16 Rights**  
To be informed of the rights enumerated in paragraphs (1) through (16).

For more information on Marsy's Law, visit the Attorney General's website at: [www.ag.ca.gov/victimservices](http://www.ag.ca.gov/victimservices)

To obtain information on the Victim Witness Assistance Center nearest to you contact:

Attorney General's Victim Services Unit  
1-877-433-9069  
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# BERKELEY COMMUNITY MEETING FEEDBACK

## Overview:

The three virtual Community Meetings were the culmination of the Community Engagement process. Following the distribution of the survey and 15 listening sessions focused on vulnerable populations and stakeholders, the Community Meetings were scheduled after the submission of NICJR's Draft Final Report and Recommendations. The intention with the timing of these events was to offer the broader Berkeley community an opportunity to provide feedback on the Draft Final Report while also sharing thoughts and ideas on ways in which the City of Berkeley can continue this process of Reimagining Public Safety.

Each meeting identified a specific group of districts listed below:

January 13, 2022: Districts 1,2

January 20, 2022: Districts 3,4

February 3, 2022: Districts 5, 6, 7, 8

NICJR incorporated several ways in which feedback could be provided during the Community Meetings. In addition to a Question and Answer session the following pages include direct feedback from interactive platforms Mentimeter and Jamboard; which was utilized during the Breakout Rooms.





# What are the most pressing public safety issues impacting you and your community?

Mentimeter



# What are the most pressing public safety issues impacting you and your community?





# What are the most important investments in the community that would support increased public safety?

Mentimeter



# What are the most important investments in the community that would support increased public safety?

Mentimeter



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## Please share feedback on the presentation you just heard

## What additional ideas or recommendations do you have for the City to consider in the Reimagining Public Safety process?

Cheryl-some of your retorts are invalidating. \*Listening\* doesn't require a response. The purpose of these meetings should be \*listening\* to what the community's concerns, not railroading through your agenda

In my experience, the BPD have been professional and courteous. I do not agree with the premise that fewer officers will result in increased safety.

2017 through September 2021 shows the department responded to an average of 72,738 calls for service per year and averaged 2,804 arrests. = 0.038! Why are reimagining safety for such a small

**CIT left out of the report.**

It sounds like you are removing the ability of officers to be proactive - by reducing interactions, by reducing police, by reducing their ability to be effective. This is not what we want.

made, Berkeley's Police Department needs to maintain the ability to respond to and investigate violent crime, they are an essential institution in Berkeley and have made me and my family safer as we have experienced

there are only ~50 people at this meeting out of ~120k Berkeley residents, how will this potentially dramatic departure from current policies be communicated to a much wider audience?

I am deeply concerned about the implementation of the CERN program. Replacing 911 calls with community personnel instead of police is extremely high risk.

triage of different calls relies on accurate information from callers- this is often not the case, and a well staffed call center, which Berkeley currently does not have. Will the proposed system work without this triage?

less- I am worried this "reimagining" process is being used as an excuse to raise taxes for more from an already overburdened tax base. I would feel much more comfortable supporting this initiative with a pledge for funding

we have CERN and SCU? Should be 1 entity. Seems problematic. We need 1 additional new phone line mental health crisis/ overdoses, etc. Only 1% of calls are actually violent crime in Berkeley. We need police out of mental

## Please share feedback on the presentation you just heard

## What additional ideas or recommendations do you have for the City to consider in the Reimagining Public Safety process?

Glad to see Advance Peace has been added to list of recommendations

please don't reinvest further in police reform (such as the new police academy or new QAT bureau)

council members have been for years talking about spending money for a cease fire program and it never happens. looking at our history and why there isn't better community engagement is important.

didn't hear mention of the gangs which have been in the city for a long time

Safety for all - without displacing is complicated and not a concept we actually understand well. A lot of it has to do with actually educating everyone. Berkeley schools hopefully will be engaged in this process and held

While the study is very interesting and great - it takes a lot of effort and openness to change the status quo. How can we build that willingness amongst community members.

we need buy in of city staff for any of the recommendations to work. our elected officials often make policies that staff often doesn't know how to implement and doesn't buy into. I didn't see suggestions for staff

I agree we already have social programs for youth - Under-funding limits their impact.

many of the "recommendations" from NICJR are things already in place/in progress in Berkeley - not sure how helpful they are (e.g., EIS, ending pretext stops)

Very helpful presentation. I see a level of humility that is appropriate in any ground-breaking proposal like this. But we are also being appropriately ambitious due to the challenges we face in revising public

Question. Is it possible to train responders into compassion? Compassion would have saved the life of the man who died this weekend just outside the police station.

Training of CERN and who could fill those roles is not well researched/explained

In addition to history of policing, it would have been helpful for report to describe how policing fails to actually prevent most crime and how police "reform" efforts are mostly unsuccessful

concern about nonsworn officers handling DV and traffic stops. also concerned that police are needed to secure situations before mental health and others respond

concerned that some alternatives like CAHOOTS have low percentage effectiveness. again, as i stated, 30-40% of crime in berkeley is committed by out of city offenders.

An A/B pilot test seems reasonable. The other two seem like massive overkill in time, money, and effort in a town where there are mental health services, police review, etc.

Planting trees and neighborhood clean up matters. I've seen research showing that it has a substantial impact on property crime and violence.

Having appropriate non-police response to behavior problems will be a great improvement

Very little here to actually "reimagine" and provide solutions to the underlying root causes of crime (e.g., lack of housing, health care, jobs)

Lighting is a big issue in the city - it makes streets / parks and public spaces safer

we already have social programs for youth

How do the CBOs access the money which supposedly exists for more interaction with the community?

the guaranteed income is really not okay when so many community members are struggling to pay taxes here, which are about the highest in the area

City needs to invest substantially in BerkDOT and self-enforcing streets

I am glad to hear positive mention of the Fair and Impartial Policing plan proposed by the mayor's working group and adopted by the city council. However, the specifics of the program are vital for the "Improve"

Are black community members in favor of these changes? elsewhere that has not been the case, I believe

reflect reality of policing in Berkeley by including officers in your discussions. So far it all seems disrespectful to the folks who make life in Berkeley possible.

Significant need for job training and opportunities for youth starting early (e.g., middle school)

agree with writer about lack of mention of gang in Berkeley

City already has many many programs. Are they working? How will new ones help?

Should also think about traffic safety in terms of passive devices: red light cameras; speeding cameras; speed bumps.

Having lived many places, BPD seems like a good police department if under-staffed.

# Please share feedback on the presentation you just heard

# What additional ideas or recommendations do you have for the City to consider in the Reimagining Public Safety process?

What's the process for intervening with people who live outside the area who are committing (violent) crime within the City. How do we find the people who are causing the crime?

The call types currently assigned to CERN have overlap with calls that the SCU should be responding to. CERN and SCU should be combined into one program that addresses non-criminal calls,

It is confusing and rather unproductive to have CERN separated from the SCU and will likely lead to confusion with dispatch, overlapping jurisdiction and uncertainty within the community. Not to mention the

The mayor asserted a "fair and objective data based" process. I haven't been hearing or seeing the data base for the need for an "alternative" scheme. Nor am I seeing or hearing a data base in terms of any expected results

what does success look like here? What is the problem we're trying to solve? If we're a pilot and the metrics aren't achieved then what?

Being sure things are adequately funded will be so important. CBOs are always underfunded. They will step up to be helpful but will not be able to succeed w/o needed funding. Police are extraordinarily well

Were there recommendations/solutions that are suggested/implemented in other cities, but weren't made to our city/Berkeley, and why?

The inclusion of police at any level will taint the CERN/SCU programs entirely. Rather than working in concert with police, the CERN/SCU should work solely on calls that do not require police assistance or backup.

support the recommendations and curious to see the data that shows what the issue is and how it is addressed through the recommendations

The problem we are trying to solve is systemic racism and injustices. Restate the facts/evidence of this in Berkeley. That is why we are here.

I passionately support these solutions. We need to implement reimagining public safety in Berkeley

The section on the history of policing in Berkeley doesn't include the history of corruption within the BPD

How do we as a community define Public Safety?

Can't find police when you need them.

Is this effort just a new way of framing police and fire and emergency services or are we really reimagining public safety?

word cloud indicates general fear of Berkeley residents. What part of plan (particularly reinvest) addresses/mitigates community fear, thus helping community embrace change from the Reduce Improve and Reinvest

CERN/SCU should not respond to misdemeanors as this will lead them towards being an enforcement power (aka policing power). It is crucial that CERN/SCU value safety over enforcement in order

Suggest a Community Based Organization assessment, showing what the coverage in skills and areas already exists, and where there are gaps. So that reinvestment can proactively start building capacity in gap areas.

The creation of a "progressive" police academy will adversely affect attempts to shrink the footprint and budget of BPD. Instead, create a Public Safety Academy to train CERN/SCU employees, other first responders,

Casual reference to "programs" elsewhere does not provide us "data". Nor do advocacies for alleged "community members" wanting various things is not quantified. Nor results. WHERE IS THE DATA?



Please share feedback on the presentation you just heard

What additional ideas or recommendations do you have for the City to consider in the Reimagining Public Safety process?

Click on the "sticky note" icon on the left side of the screen. You will be able to write your feedback on the sticky note, click save and place it on the screen.

We've spent a lot on police and we still have rising crime! Time for a new approach! We need to address the root causes of crime.

Emphasize more how police attention to category 3 and 4 crimes will be enhanced

I have done a lot of podcast listening and reading on RPS and really support the NICJR report!

Is there a recommendation for how the city should organize the implementation of the RPS process? There is a lot to do! Does there need to be a new Department of RPS?

How should the city track the progress of the pilot? What metrics should be used? This seems important to be able to show reduced calls, increased CBO budgets, etc. so we can track successes and lack of successes.

Who will train the CERN staff?

I'm concerned about a lack of city focus on carrying this forward. Seems to me that it should be housed in the city, outside of the PD, with an RPS commission.

How is the savings going to be reinvested? Transparency with how the 6 million mentioned will be spent is important.

Please share feedback on the presentation you just heard

What additional ideas or recommendations do you have for the City to consider in the Reimagining Public Safety process?

Concerns about a decrease in the number of police responding to calls for service.

Thanks for the presentation. I had no idea about this process until now.

Questions about how the CERN pilot is being funded.

How will the CERN pilot be evaluated?

Concerns about non-criminal calls that lead to violent crimes.

Are police involved in the RPSTF process? What are their thoughts on this?

Please share feedback on the presentation you just heard

What additional ideas or recommendations do you have for the City to consider in the Reimagining Public Safety process?

Loved the question on How do we get ACTION from the City Council?

Will be effective IF implemented

Some aspects of these recommendations should be put under oversight of Police Accountability Board

Need a "czar" in city government whose job it is to KEEP THIS REIMAGINING EFFORT MOVING FORWARD!

Invest serious funding in implementation!

Will be of no use if NOT implemented.

**Great report, NIJCR!**

How do we respond to South Berkeley concerns about gunfire?

Are there any pilot Phase 1 categories that BPD is on board with? If so, these seem like the ones most likely to move ahead quickly, assuming folks offer the RFP.

What other ways can we ensure that South Berkeley's concerns about gunfire will be more effectively addressed under a re-imagined framework? For example, funds for cameras.

effective traffic (safety) enforcement for several years. If CERN officers could respond to reported incidents AND follow-up that would likely result in many more reports (of dangerous drivers for example). As it stands now few are reported because nobody

Where to find clearer understanding of what police money is being used for other things, e.g. how much does parking enforcement cost - what kind of savings could there be.

Please share feedback on the presentation you just heard

What additional ideas or recommendations do you have for the City to consider in the Reimagining Public Safety process?

I like the CERN rubric, but I think questions remain about how where the lines will be drawn and how exactly the decisions will be made on where calls for service should be assigned.

**Strengthen focus on F&I and PAB**

Concurrent processes like Fair and Impartial TF/SCU. How to ensure programs are actually implemented?

**More community outreach**

Please share feedback on the presentation you just heard

What additional ideas or recommendations do you have for the City to consider in the Reimagining Public Safety process?

How do we go against a system that is inherently racist?

I worry that the police dept will not be willing to make change.

The City is in the process of hiring a new Police Chief - what sort of background would be needed to implement the new program. Has there been discussion with the police union

The police is not cooperating with the Police Advisory Board. why will they cooperate with you?

When are we going to hear from the most impacted people in Berkeley during this process? Meaning the most marginalized and oppressed groups.

What has been the outreach to POC?

Have the city council members been involved with contacting their constituents for these meetings

Please share feedback on the presentation you just heard

What additional ideas or recommendations do you have for the City to consider in the Reimagining Public Safety process?

Click on the "sticky note" icon on the left side of the screen, fourth icon down. You will be able to write your feedback on the sticky note, click save and place it on the screen.

Partnering seems to be missing in the process. The process seems adversarial and not a partnership with the police.

In 11.23 draft, fn. 7, p. 27, Appendix I "Community members have expressed concerns about MCT's ability to properly assist with calls for service." - seems overly judgmental and under-evidenced

in support of Charles and Cheryl on PD with mental health crisis successes with PD standing nearby

Concern regarding a whole new way of training and providing EMS services. What impact will this have on the emergency communications center?

Having the last resort language in Policy 300 may be problematic. Look at what BPD actually has in their policy.

CIT is left out of the report

Seems like it has become a competition vs lay people take over MH CFS were people are in crisis

Having MH professionals respond to some calls for service seems somewhat appropriate

Community that seems to be resistant to the whole process fears that they will have less protection for public safety

Please share feedback on the presentation you just heard

What additional ideas or recommendations do you have for the City to consider in the Reimagining Public Safety process?

Click on the "sticky note" icon on the left side of the screen, fourth icon down. You will be able to write your feedback on the sticky note, click save and place it on the screen.

How does the list of BPD "problems" in the Draft Report compare to other cities our size?

What is the BPD response to this report?

Does your process recognize that many crimes committed in Berkeley are by professional criminals who live in other cities?

My biggest question is no mention that Berkeley has a unified 911 Call Center. How do you propose dealing with that?

What is the expected effect on the crime rate in Berkeley?

As for a stronger restraint on use of force it was the BPD and council members that resisted a stronger policy so how do you advise changing that

The problem identified by the the policing equity report was disparate treatment by race. I didn't hear anything on racism

Does State Law allow civilians to do traffic stops?

Did your work cover the instance of the resident who called in a "trespasser" and was killed by the trespasser before the BPD arrived

Deschutes county stabilization center  
<https://www.deschutes.org>

Please share feedback on the presentation you just heard

What additional ideas or recommendations do you have for the City to consider in the Reimagining Public Safety process?

Good presentation. Would like to hear more about implementation obstacles re City Council etc.

police. This seems to be a longtime NICJR mission (which is OK), but it seems stuck in 2020's summer of rage. With violent crime spiking, most cities are trying to expand their police forces, with better training and

Using pilot project to learn -- but also to KEEP MOVING FORWARD -- makes a lot of sense.

Totally support using our public safety dollars more effectively to address root causes

To me, it's about efficient use of dollars, not hostility toward police

In many cases, the anticipated CERN people will be in potentially dangerous and escalatory situations. We need to protect THESE people as well as offenders. They will need police backup to stay safe.

Why do we have CERN and SCU when it could be all put under SCU?

Can our city reverse some effects of cash bail reform so offenders can be kept off the streets, rather than coming back and re-offending?

Agree with the intermediate objectives: End pretextual stops; make unarmed people the lead responders to low-hazard calls.



## Please share feedback on the presentation you just heard

## What additional ideas or recommendations do you have for the City to consider in the Reimagining Public Safety process?

How can we pursue the reforms that are needed given the backlash stirred up by the supposed "crime tsunami"?

I appreciate the thoroughness of the report highlighting the most pressing issues within BPD and the fact that investment in violence prevention is critical.

Derek Chauvin did not work for the BPD. We need to focus on our local situation and not transfer our outrage about things happening in other places to our law enforcement folks.

Violent crime is in fact a problem in Berkeley (as in many cities). The number of shootings so far this year is appalling.

public safety, we need to also realize that many of the people arrested for crimes, including violent crimes in Berkeley, live in other surrounding communities and we cannot provide services for them.

I recommend that the city looks within organizations that are connected and have relationships with community members to be most effective.

should be given to the BPD's feedback on types of calls that need police response. I'm sure officers would be glad to have other calls covered by appropriately trained responders, but many of the calls may need a police response at the outset regardless

other surrounding communities and we cannot provide services for them. Again, we need to focus on our actual local situation and what we can do to improve public safety

hope its recommendations can be implemented. I'm concerned that the UBI proposal, which is race-based rather than solely based on income, is a political liability. For example, a demagogue could readily use the racial

Our BPD should be supported for the challenging and mostly excellent work they do. We need to fully staff the police department to have the necessary resources to keep our city safe.

I think it would be valuable to specify the difference between CERN and the Specialized Care Unit because it seems like the default with CERN is to still have police on the scene

Traffic enforcement is a huge gap in current public safety. Too many dangerous drivers are endangering the public with no consequences. We need a much larger staff to handle traffic enforcement all over the city.

I would like to see the data that shows a problem with pretextual stops as an issue in Berkeley. Abandoning traffic enforcement leads to more problems and less safety.

# Glossary of Terms

<b>ACPD:</b>	Alameda County Probation Department
<b>ACPI:</b>	American Crime Prevention Institute
<b>ACR:</b>	Alternative Crisis Response
<b>ACS:</b>	Albuquerque Community Safety Department
<b>ANOVA:</b>	Analysis of Variance
<b>ASUC:</b>	Associated Students of the University of California
<b>APD:</b>	Albuquerque Police Department
<b>APD:</b>	Austin Police Department
<b>BACS</b>	Bay Area Community Services
<b>BAPA:</b>	Bay Area Progressive Academy
<b>BCSC</b>	Berkeley Community Safety Coalition
<b>BerkDOT:</b>	Berkeley Department of Transportation
<b>B-HEARD:</b>	Behavioral Health Emergency Assistance Response Division
<b>BI:</b>	Business Intelligence
<b>BIPOC:</b>	Black, Indigenous People of Color
<b>BOSS:</b>	Building Opportunities for Self Sufficiency
<b>BPC:</b>	Business and Professions Code
<b>BPD:</b>	Berkeley Police Department
<b>BPSA:</b>	Black Public Safety Alliance
<b>BRG:</b>	Bright Research Group
<b>BWC:</b>	Body Worn Camera
<b>BYA:</b>	Berkeley Youth Alternatives
<b>CAD:</b>	Computer Aided Dispatch
<b>CAHOOTS:</b>	Crisis Assistance Helping Out on The Streets
<b>CATT:</b>	Community Assessment and Transportation Team
<b>CBO:</b>	Community Based Organization

<b>CBTSim:</b>	Counter Bias Training Simulation
<b>CCD:</b>	Crisis Call Diversion
<b>CDC:</b>	Center for Disease Control
<b>CE:</b>	Community Engagement
<b>CEO:</b>	Center for Employment Opportunity
<b>CEO:</b>	Chief Executive Office
<b>CES:</b>	Coordinated Entry System
<b>CERN:</b>	Community Emergency Response Network
<b>CFS:</b>	Calls for Service
<b>CHP:</b>	California Highway Patrol
<b>CJC:</b>	Community Justice Center
<b>CPD:</b>	Chicago Police Department
<b>CPTCE:</b>	Crime Prevention Through Community Engagement
<b>CRU:</b>	Crisis Response Unit
<b>CSO:</b>	Community Service Officer
<b>CSP:</b>	Community Safe Partnership
<b>CWC:</b>	Creative Wellness Center
<b>DBA:</b>	Downtown Berkeley Association
<b>DJJ:</b>	Department of Juvenile Justice
<b>DMH:</b>	Department of Mental Health
<b>DPD:</b>	Denver Police Department
<b>DPN:</b>	Delinquency Prevention Network
<b>EIS:</b>	Early Intervention Systems
<b>EMCOT:</b>	Expanded Mobile Crisis Outreach Team
<b>EMS:</b>	Emergency Medical Services
<b>EMT:</b>	Emergency Medical Technician
<b>EPIC:</b>	Ethical Policing Is Courageous
<b>ESOP:</b>	Ethical Society Of Police
<b>EU:</b>	European Union
<b>EWIS:</b>	Early Warning Intervention System

<b>FAIR Girls:</b>	Free Aware Inspired Restored
<b>FBI:</b>	Federal Bureau of Investigation
<b>FOP:</b>	Fraternal Order of Police
<b>FTE:</b>	Full Time Employee
<b>FTO:</b>	Field Training Officer
<b>FY:</b>	Fiscal Year
<b>GF:</b>	General Fund
<b>GVRs:</b>	Gun Violence Reduction Strategy
<b>HACLA:</b>	Housing Authority of the City of Los Angeles
<b>HALO:</b>	Highly Accountable Learning Organization
<b>HPD:</b>	Houston Police Department
<b>HRC:</b>	Housing Resource Center
<b>HVIP:</b>	Hospital Violence Intervention Program
<b>IHOT:</b>	In-Home Outreach Team
<b>IPV:</b>	Intimate Partner Violence
<b>JJCPA:</b>	Juvenile Justice Crime Prevention Act
<b>LAPD:</b>	Los Angeles Police Department
<b>LEAP:</b>	Leadership, Education, and Athletics in Partnership
<b>LGBTQ:</b>	Lesbian, Gay, Bisexual, Trans, Queer/Questioning
<b>LGBTQIA+:</b>	Lesbian, Gay, Bisexual, Trans, Queer/Questioning, Intersex, Asexual
<b>MACRO:</b>	Mobile Assistance Community Responders of Oakland
<b>MAP:</b>	Mayor's Action Plan for Neighborhood Safety
<b>MCT:</b>	Mobile Crisis Team
<b>MHD:</b>	Mental Health Division
<b>MISD:</b>	Misdemeanor

<b>MISSEY:</b>	Motivating, Inspiring, Supporting & Serving exually Exploited Youth
<b>NBF:</b>	New Bridge Foundation
<b>NC:</b>	Non-Criminal
<b>NCA:</b>	Neighborhood Change Agent
<b>NEED:</b>	Needle Exchange Emergency Distribution
<b>NEP:</b>	Needle Exchange Program
<b>NIBRS:</b>	National Incident Based Reporting System
<b>NV FEL:</b>	Non-Violent Felony
<b>NYC:</b>	New York City
<b>NYCHA:</b>	New York City Housing Authority
<b>NYPD:</b>	New York Police Department
<b>ONS:</b>	Office of Neighborhood Safety
<b>OPD:</b>	Oakland Police Department
<b>OPD:</b>	Olympia Police Department
<b>OPS:</b>	Police Operations
<b>PD:</b>	Police Department
<b>PERF:</b>	Police Executive Research Forum
<b>POC:</b>	People of Color
<b>Project ABLE:</b>	Active Bystandership for Law Enforcement
<b>PTSD:</b>	Post Traumatic Stress Disorder
<b>QAT:</b>	Quality Assurance Training
<b>QTBIPOC:</b>	Queer, Trans, Black and Indigenous People of Color
<b>RAMS:</b>	Richmond Area Multi-Services
<b>RIPA:</b>	Racial Identity and Profiling Advisory
<b>RPD:</b>	Richmond Police Department
<b>RPSTF:</b>	Reimagining Public Safety Task Force
<b>SARA model:</b>	Scanning, Analysis, Response, Assessment

<b>SCRT:</b>	Street Crisis Response Team
<b>SCU:</b>	Specialized Care Unit
<b>SEEDS:</b>	Services that Encourage Effective Dialogue and Solutions
<b>SIF:</b>	Safe Injection Facilities
<b>SNAP:</b>	Supplemental Nutrition Assistance Program
<b>SPARQ:</b>	Social Psychological Answers to Real World questions
<b>SSDI:</b>	Social Security Disability Insurance
<b>SSI:</b>	Supplemental Security Income
<b>SSP:</b>	Syringe Services Programs
<b>STAR:</b>	Support Team Assisted Response
<b>STAIR:</b>	Stability, Navigation and Respite
<b>SV:</b>	Sexual Violence
<b>SV FEL:</b>	Serious Violent Felony
<b>TAY:</b>	Transition Age Youth
<b>TF:</b>	Task Force
<b>TVIT:</b>	Trafficking Victim Identification Tool
<b>UCLA:</b>	University of California, Los Angeles
<b>UCPD:</b>	University of California Police Department
<b>UCR:</b>	Uniform Crime Report
<b>VOIP:</b>	Voice Over Internet Protocol
<b>WSCJTC:</b>	Washington State Criminal Justice Training Commission
<b>YOBG:</b>	Youth On Board
<b>YSA:</b>	Youth Spirit Artworks